

3 जनवरी से 24 अक्टूबर, 2004 तक
कॉपी - 1-4

रजिस्ट्रार नं० HP/12/SML/2003.

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राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

खण्ड : 51	शिमला, शनिवार, 3 जनवरी, 2004/13 पौष, 1925	संख्या : 40
	विषय सूची	
भाग-1	वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि ..	1830—1845
भाग-2	वैधानिक नियमों को छोड़कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि ..	—
भाग-3	अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल, हिमाचल प्रदेश हाई कोर्ट, फाईनैन्शियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि ..	—
भाग-4	स्थानीय स्वायत्त शासन, म्यूनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाइड और टाऊन एरिया तथा पंचायती राज विभाग ..	—
भाग-5	वैयक्तिक अधिसूचनाएं और विज्ञापन	1845—1854
भाग-6	भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन	—
भाग-7	भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं ..	—
—	अनुपूरक	—

3 जनवरी, 2004/13 पौष, 1925 को समाप्त होने वाले सप्ताह में निम्नलिखित विज्ञप्तियां 'सामाधारण राजपत्र, हिमाचल प्रदेश' में प्रकाशित हुईं:-

विज्ञप्ति की संख्या	विभाग का नाम	विषय
संख्या टी० सी० टी० ए० (3) 3/98-III, दिनांक 24 दिसम्बर, 2003.	परिवहन विभाग	हिमाचल प्रदेश मोटरयान कराधान अधिनियम, 1972 में विद्यमान अनुसूची-1 में विद्यमान प्रविष्टि-3 के उपरान्त अनुबन्ध-क' स्थापित बारे इसके अंग्रेजी रूपान्तरण सहित ।
संख्या ई० एक्स० एन०-एफ (6)- 1/2002-1, दिनांक 24 दिसम्बर, 2003.	आबकारी एवं कराधान विभाग	हिमाचल प्रदेश पथकर अधिनियम, 1975 (1975 का 9) में संलग्न अनुसूची-1 में प्रारूप संशोधन इसके अंग्रेजी पाठ सहित ।

भाग-1- वैधानिक नियमों को छोड़कर हिमाचल प्रदेश के राज्यपाल और हिमाचल प्रदेश हाई कोर्ट द्वारा अधिसूचनाएं इत्यादि
Shimla-1, the 11/12th December, 2003

हिमाचल प्रदेश हाई कोर्ट

NOTIFICATIONS

Shimla, the 22nd/24th November, 2003

No. HHC/GAZ/14-220/96-26315.—Hon'ble the Chief Justice is pleased to grant 6 days earned leave w. e. f. 1-12-2003 to 6-12-2003 with permission to prefix and suffix Sunday falling on 30-11-2003 and 7-12-2003 in favour of Shri Bhupesh Sharma, Civil Judge (Junior Division) Sarkaghat.

Certified that Shri Sharma is likely to join the same post and at the same station from where he proceeds on leave after expiry of the above period of leave.

Also certified that Shri Sharma, would have continued to hold the post of Civil Judge (Junior Division) Sarkaghat but for his proceeding on leave for the above period.

Shimla-1, the 10/11th December, 2003

No. HHC/Admn.6 (23)/74-XIII-27435.—Hon'ble the Chief Justice in exercise of the powers vested in him under rule 1.26 of Himachal Pradesh Financial Rules, 1971, Volume-I, is pleased to declare the Civil Judge (Sr. Division)-cum-C. J. M., Solan, as Drawing and Disbursing Officer in respect of the court of Addl. District and Sessions Judge, Solan and also the Controlling Officer for the purpose of T. A. etc. in respect of class-II, III and IV establishment attached to the aforesaid court under Head "2014—Administration of Justice during the leave period of Shri D. K. Sharma, Addl. D&SJ, Solan, w. e. f. 22-12-2003 to 3-1-2004 with permission to prefix Sunday falling on 21-12-2003 and to suffix Sunday falling on 4-1-2004, or until he returns from leave.

Shimla-1, the 10/11th December, 2003

No. HHC/GAZ/14-133/82-III-27425.—Hon'ble the Chief Justice is pleased to grant 13 days earned leave with effect from 22-12-2003 to 3-1-2004 with permission to prefix Sunday falling on 21-12-2003 and to suffix Sunday falling on 4-1-2004, in favour of Shri D. K. Sharma, Addl. District and Sessions Judge, Solan.

Certified that Shri Sharma is likely to join the same post and at the same station from where he proceeds on leave after expiry of the above period of leave.

Also certified that Shri Sharma would have continued to hold the post of Addl. District and Sessions Judge, Solan, but for his proceeding on leave for the above period.

Shimla-1, the 11/12th December, 2003

No. HHC/Admn. 16(15)74-III-27621.—Hon'ble the Chief Justice in exercise of the powers vested in him u/s 139(d) of the Code of Civil Procedure, 1908 u/s 297(b) of the Code of Criminal Procedure, 1973 and Rule 4(v) of the H.P. Oath Commissioners (Appointment & Control) Rules, 1996 is pleased to appoint the following Advocates as Oath Commissioners at Solan for a period of two years with effect from 16-12-2003, for administering oaths and affirmations on affidavits to the deponents under the aforesaid Codes and Rules:—

1. Sh. Des Gautam
2. Sh. Ashwani Kumar
3. Sh. Manish Sharma
4. Sh. Padam Chand Sharma
5. Sh. Pratap Singh Goverdhan and
6. Sh. Harvindra Bhandari.

No. HHC/GAZ/14-136/62-I-27612.—Hon'ble the Chief Justice is pleased to grant *ex post facto* sanction of 6 days commuted leave with effect from 17-11-2003 to 22-11-2003 in favour of Shri J. C. Sood, Civil Judge (Senior Division)-cum-CJM, Kullu.

Certified that Shri J. C. Sood has joined the same post and at the same station from where he proceeded on leave after expiry of the above period of leave.

Also certified that Shri J. C. Sood would have continued to hold the post of Civil Judge (Senior Division)-cum-CJM, Kullu but for his proceeding on leave for the above period.

Shimla-1, the 12th December, 2003

No. HHC/GAZ/14-76/76-II-27706.—Hon'ble the Chief Justice is pleased to grant 7 days earned leave from 18-12-2003 to 24-12-2003 with permission to suffix Holiday falling on 25-12-2003, in favour of Shri M. D. Sharma, District and Sessions Judge (Forests), Shimla.

Certified that Shri Sharma is likely to join the same post and at the same station from where he proceeds on leave after expiry of the above period of leave.

Also certified that Shri Sharma would have continued to hold the post of District and Sessions Judge (Forests) Shimla but for his proceeding on leave for the above period.

By order,

Sd/-
Registrar General.

हिमाचल प्रदेश सरकार

PERSONNEL (A-I) DEPARTMENT

NOTIFICATIONS

Shimla-2, the 8th December, 2003

No. Per (A) A-B (2)-1/2003.—On the recommendations of the Departmental Promotion Committee, the Governor, Himachal Pradesh is pleased to order the promotion of Shri S. K. Kanwal, Superintending Engineer (Civil), NH Circle, H. P. P. W. D., Shahpur as Chief Engineer in the pay scale of Rs. 18,600-500-22,100, on regular basis, with immediate effect subject to the verdict of the H. P. A. T. in the following OAs:—

1. O. A. No. 724/1998 titled S. K. Kanwal V/s State & G. R. Kondal.
2. O. A. No. 3339/2002 titled S. K. Kanwal V/s State & S. P. Neg.

2. He shall be on probation for a period of two years or till the date he retires from service, whichever is earlier.

3. The Governor, Himachal Pradesh, is further pleased to order the posting of Shri S. K. Kanwal, on promotion, as Chief Engineer in the Himachal Pradesh Housing Board, Shimla.

(AP-II)

Shimla-2, the 11th December, 2003

No. Per (AP-B) B (4)-3/2002-Pt.—The Governor, Himachal Pradesh is pleased to accord sanction of 17 days Earned Leave with effect from 15-12-2003 to 31-12-2003 (prefix 13 and 14th December, 2003) in favour of Shri P. C. Katoch, I. A. S. (Retd.), Member, Himachal Pradesh Public Service Commission.

Certified that Shri P. C. Katoch, Member, Himachal Pradesh Public Service Commission shall join his duties on the place and post from where he is proceeding on leave.

(Appointment-I Section)

Shimla-2, the 15th December, 2003

No. Per(A)-B(2)-2/2003.—On the recommendations of the Departmental Promotion Committee, the Governor, Himachal Pradesh, is pleased to order the promotion of Sh. A. K. Mahajan, Superintending Engineer, P&I-II, Shimla as Chief Engineer in the pay scale of Rs. 18,600-500-22,100, on regular basis, with immediate effect.

2. He shall be on probation for a period of two years of till the date he retires from service, whichever is earlier.

3. The Governor, Himachal Pradesh, is further pleased to order the transfer and postings of the following Chief Engineers of Irrigation & Public Health Department with immediate effect, in public interest:—

1. Sh. Desh Raj Gupta, presently Chief Engineer, Shahnehar Project, Fatehpur, Kangra as Chief Engineer, North Zone, Dharamshala relieving Sh. S. K. Bhatnagar, Chief Engineer, South Zone, Shimla of this additional charge.
2. Sh. A. K. Mahajan on his promotion as Chief Engineer, Shahnehar Project, Fatehpur, Kangra.

By order

ARVIND KAUL,
Chief Secretary.

AGRICULTURE DEPARTMENT

NOTIFICATION

Shimla-2, the 10th December, 2003

No. Agr-B(2)/8/95.—The Governor, Himachal Pradesh is pleased to order to place the services of Shri I. S. Azad, A. D. O., SAMETI, Mashobra at the disposal of Himachal Pradesh Marketing Board as Secy., Market Committee (Shimla & Kinnaur) at Dhalli (Shimla) on secondment basis without deputation allowances for the period of one year with immediate effect in the public interest.

By order,

DR. A. R. BASU,
Pr. Secretary.

ANIMAL HUSBANDRY DEPARTMENT

NOTIFICATION

Shimla-171002, the 17th December, 2003

No. AHY-B(1)-5/94.—On the recommendation of the Departmental Promotion Committee, the Governor, Himachal Pradesh is pleased to promote Dr. A. K. Almadi, Dy. Director to the post of Joint Director in the pay scale of Rs. 14300-400-15900-450-18600, on regular basis.

Dr. A. K. Almadi will be on probation for a period of two years or till his retirement whichever is earlier.

The promotion of Dr. A. K. Almadi is subject to the final decision of the OA No. 1046/95, OA No. 786/95 and OA No. 1048/95, filed by Dr. B. M. S. Rajwar, Dr. R. G. Verma and Dr. B. P. Malhotra respectively in the Hon'ble Administrative Tribunal.

Consequent upon his promotion as Joint Director, the Governor, Himachal Pradesh is further pleased to

post him as Joint Director, Animal Husbandry, Palampur against vacant post.

By order,

Sd/-
Secretary,

EDUCATION DEPARTMENT

NOTIFICATION

Shimla-2, the 10th December, 2003

No. Shiksha-II Chha (5)-1/2003.—The Governor, Himachal Pradesh, is pleased to order the upgradation of Government Primary School, Jaithna G. P. Nagali and Banjani G. P. Banjani, District Solan to that of Government Middle School with immediate effect in the public interest.

The above schools shall become functional only if suitable accommodation as per norms of the Education Department is handed over to the Government free of cost by the local public of the area. This condition will not be applicable in respect of the Tribal areas.

By order,

Sd/-
Principal Secretary (Edu.).

PRIMARY EDUCATION DEPARTMENT

NOTIFICATION

Shimla-2, the 10th December, 2003

No. EDN-C.F (5) 3/2001-IV.—In supersession of this department notification No. EDN-C.F (2) 6/98, dated 18th June, 1999, the Governor, Himachal Pradesh is pleased to reconstitute the Executive Committee of Himachal Pradesh Primary Education Society-cum-Sarva Shiksha Abhiyan State Mission Authority under Rule-24 of the Memorandum of Association of H. P. Primary Education Society as under:—

- | | |
|---|----------|
| 1. Secretary (Education) Government of H.P. | Chairman |
| 2. Secretary (Finance) Govt. of H.P. | Member |
| 3. Secretary (Planning, Economics & Statistics), Govt. of H.P. | Member |
| 4. Secretary (Social & Women Welfare) Government of H.P. | Member |
| 5. Secretary (Tribal Development) Government of H.P. | Member |
| 6. Additional/Joint/Deputy Secretary (Education) Government of H.P. | Member |
| 7. Director Primary Education-cum-Mission Director (SSA) H.P. | Member |
| 8. Director Secondary Education, H.P. | Member |
| 9. Principal SCERT, Solan, H.P. | Member |
| 10. Smt. Kamla Vasudeva, A-6, 30 Ferozshah Road New Delhi (Women Education). | Member |
| 11. Smt. Neerja Shukla, House No. 2, Old Brock Haurst Shimla (Disabled Child Expert). | Member |
| 12. Smt. Rama Gupta, (Retd. College Principal), Chiffindale Sanjauli, Shimla-6 (Education Field). | Member |

12. State Project Director (SSA) H.P.

Member
Secretary.

By order,

AVAY SHUKLA,
Principal Secretary (Education).FINANCE DEPARTMENT
(A' Section)

NOTIFICATION

Shimla-2, the 11th December, 2003

No. Fin.(C)A(2)2/99.—The Governor, Himachal Pradesh is pleased to order that the Secretary, Information Technology and Bio. Tech. shall function as Head of Department under the following Heads of accounts with immediate effect:—

DEMAND NO. 11 :

- 3425—Other Scientific Research.
60—Others
001—Direction & Administration.
01—Directorate of Bio. Tech.

DEMAND NO. 18—Supplies, Industries and Minerals :

- 2851—Village and Small Industries.
102—Village Small Industries.
15—Estdt. of Software Technology Park.
19—State-wide Area Network.

2. The existing Heads of Department of the above Heads of accounts shall lease to function as such with immediate effect.

By order,

Sd/-
Principal Secretary (Fin.).

FORESTS DEPARTMENT

NOTIFICATION

Shimla-171002, the 10th December, 2003

No.Fts.I(B)(3)17/84-PF.—The Governor, Himachal Pradesh, is pleased to accord *ex-post-facto* sanction for grant of following kind of leave in favour of Sh. Avtar Singh IFS, CF(WP&S) Shimla subject to the verification of leave title :

(i) Joining time 8 days w.e.f. 01-06-03 to 08-06-03.

(ii) Commuted leave...50 days w.e.f. 09-06-03 to 28-07-03 (debitable to 100 days HPL).

It is certified that Sh. Avtar Singh, IFS has joined his duties on the same post from where he proceeded on above leave.

It is further certified that Sh. Avtar Singh, IFS would have continued to officiate as such but for his proceeding on leave.

By order,

Sd/-
Principal Secretary (Forests).

HOME DEPARTMENT

(B-Section)

NOTIFICATIONS

Shimla-2, the 8th December, 2003

No. Per(A-I)A(2)1/90.—In exercise of the powers vested in him under sub-section (i) of section 20 of the

Code of Criminal Procedure, 1973, the Governor of Himachal Pradesh is pleased to appoint Sh. Kashmir Singh, Naib Tehsildar to be the Executive Magistrate with the powers of Executive Magistrate under the said code to be exercised within the local limits of Tehsil Ramshehar (Solan) with immediate effect subject to the conditions as contained in the Home Department's Himachal Pradesh Government letter No. Home-B(B) 12-5/84, dated 4-12-84 and 28-12-84. He shall cease to function as Executive Magistrate on his transfer out of this jurisdiction.

By order,

Sd/-
Principal Secretary.

Shimla-2, the 9th December, 2003

No. Home-B(B)2-3/03-Jails.—The Governor, Himachal Pradesh is pleased to order that Sh. P. C. Sharma, Chief Welfare Officer (Prisons) shall retire from the service w.e.f. 31-03-2004 (A.N.) on attaining the age of superannuation.

By order,

ASHOK THAKUR,
Principal Secretary (Home).

(Section-D)

Shimla-2, the 9th December, 2003

No. Home-D(B-15)-8/2003.—The Governor, Himachal Pradesh is pleased to order that the following HPPS Officers will retire from Government Service on attaining the age of superannuation on the dates shown against their names :

Name of the officer	Date of birth	Date of Retirement
1. Sh. Ram Lal, Addl. S. P. Nahan.	20-5-46	{31-5-2004
2. Sh. Des Raj Sood, 3rd Bn. Pandoh.	22-02-46	29-02-2004
3. Sh. Hari' Chand, DSP, Vigilance, Solan, H.P.	09-08-46	31-08-2004
4. Sh. Parma Nand Banyal, DSP, PTC, Daroh.	14-03-46	31-03-2004

By order,

Sd/-
Principal Secretary (Home).

Shimla-2, the 12th December, 2003

No. Home-B(A)1-2/95.—The Governor, Himachal Pradesh on the recommendations of the High Court of Himachal Pradesh and in exercise of the powers vested in him under clause (1) of Article 233 of the Constitution of India read with Govt. of India's order No. GSR 929(E) dated 15-12-1992 is pleased to appoint the following Civil Judges (Senior Division) as Presiding Officers for being posted in the seven Fast Track Courts created vide this department Notification No. Home-B(E)1-5/2002, dated 13-11-2003 in the rank of Additional District & Sessions Judge on *ad hoc* basis, initially for a period of one year with immediate effect:—

1. Sh. J. C. Sood,
2. Sh. Pritam Singh,
3. Sh. R. L. Azad,
4. Sh. S. L. Sharma,
5. Sh. K. S. Chandel,
6. Sh. S. C. Kainthla,
7. Sh. Bhim Chand.

By order,

ASHOK THAKUR,
Principal Secretary (Home).

HORTICULTURE DEPARTMENT

NOTIFICATIONS

Shimla-2, the 9th December, 2003

No. HTC-A(1)-5/99.—Consequent upon the re-organisation/re-structuring of the Horticulture Department notified vide notification of even number dated 3-11-03, the Governor, Himachal Pradesh, is pleased to upgrade the post of District Horticulture Officer, Lahaul & Spiti as Deputy Director of Horticulture, Lahaul & Spiti with immediate effect.

This issues with the prior concurrence of the Finance Department obtained vide their Dy. No. 1077-Fin-E/2003, dated 19-11-03.

Shimla-2, the 9th December, 2003

No. HTC-A(4)-2/2002.—In supersession of this Department Notification No. HTC-A(4)-2/96, dated 20-8-1998, the Governor, Himachal Pradesh is pleased to reconstitute State High Level Purchase Committee for the purchase of plant protection material and equipment for the current financial year as under:—

Sr. No.	Name/Designation	
1.	Principal Secretary (Hort.) to the Government of H.P.	Chairman
2.	Secretary (Fin.) or his nominee to the Government of H.P.	Member
3.	Vice Chancellor, Dr. Y. S. Parmar University of Horticulture & Forestry, Nauni, Solan or his representative.	Member
4.	Controllor of Stores, H. P. or his representative.	Member
5.	Professor and Head Department of Plant Pathology, UHF, Solan.	Member
6.	Professor and Head Department of Entomology, and Apiculture, UHF, Solan.	Member
7.	Professor and Head Department of Pomology, UHF, Solan.	Member
8.	Director of Horticulture, Himachal Pradesh, Shimla-2.	Member Secretary.

All the formalities in this behalf will remain the same.

Shimla-2, the 10th December, 2003

No. HTC-B(6)-3/98(PCS).—The Governor, Himachal Pradesh, in partial modification of this Department Notification No. HTC-B(6)-1/02(Gen), dated 21-8-2003, is pleased to order the adjustment/transfer and postings of following HDOs in the Horticulture Department with immediate effect in public interest:—

Sl. No.	Name of H.D.Os.	From	To	Remarks
1	2	3	4	5
1.	S/Shri Prakash Chand Sharma	U/T from HEC-Bhotta (Hamirpur) to PCDO-Sheel-ghat (Shimla).	D. B. Hamirpur vice Sh. Joginder Singh Dhiman. HDO.	Without TTA & Joining Time.

1	2	3	4	5
2.	Joginder Singh	D.B.Hamirpur	PCDO-Sheel-ghat (Shimla) & Joining against-vacancy.	WithTTA & Joining Time.

The above H. D. Os are directed to report for duty at the respective new places of their postings immediately and report compliance of the Govt. orders to this department at the earliest.

By order,
J. P. NEGI,
Principal Secretary (Hort.).

IRRIGATION & PUBLIC HEALTH DEPARTMENT

NOTIFICATIONS

Shimla-2, the 10th December, 2003

No. IPH(A)2(B)6-9/2003.—The Governor, Himachal Pradesh is pleased to order the transfer of Shri Rahul Dubey, Assistant Engineer from office of the Chief Engineer (North) Dharamshala to IPH Sub-Division Lambaagon against vacant post with immediate effect. in public interest.

The above officer will submit his charge reports of relinquishment and assumption to this Department immediately.

Shimla-2, the 10th December, 2003

No. IPH(A)2(B)6-4/2003.—The Governor, Himachal Pradesh is pleased to order the transfer of following Executive Engineers in Irrigation & Public Health Department. with immediate effect, in public interest:—

Name of EEs	From	To
1. Sh. R. K. Verma	E. E. (Design) IPH Circle Chambha.	IPH Division, Salooni vice Sh. S. K. Chaudhary, E. E.
2. Sh. S. K. Chaudhary	IPH Division Salooni.	IPH Division, Dalhousie against vacancy.

The above Officers will submit their charge report of relinquishment and assumption to this Department immediately.

Shimla-2, the 12th December, 2003

No. IPH-A-2B(6)-1/99 Pt. II.—The Governor, Himachal Pradesh is pleased to order the cancellation of transfer orders of Sh. Hemant Kumar Tanwar, Assistant Engineer from IPH Sub-Division, Nalagarh to IPH Sub-Divn., Banjar, issued vide this Department notification of even No., dated the 29th July, 2003 with immediate effect in public interest.

By order,
Sd/-
Principal Secretary (IPH).

LANGUAGE & CULTURE DEPARTMENT

NOTIFICATION

Shimla-2, the 21st November, 2003

No. LCD-B (6)-1/2001.—The Governor, Himachal Pradesh is pleased to transfer Shri Gopal Singh Dilaik, Research Assistant from Directorate of Language, Arts and Culture, Shimla to District Language Officer, Nahan, District Sirmour (Himachal Pradesh) against vacant post in the public interest.

By order,
Sd/-
Principal Secretary (LAC.).

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATIONS

Shimla-2, the 5th December, 2003

No. Shram (A)7-1/2002.—In exercise of the powers vested in him under section 17(1) of the Industrial Dispute Act, 1947, the Governor, Himachal Pradesh is pleased to order the publication of awards in the Rajpatri announced by the Presiding Officer, Labour Court of the following cases:

Sl. No.	Particulars	Section	Remarks
1. Ref. 26/99 24-10-2003	Smt. Lata Sharma Vs. Gen. Secy, H.P. State Council for Child Welfare, Shimla-2.	10	
2. Ref. 97/98 20-10-2003	Sh. Om Parkash Vs. Purewal Associates, Jubber, Solan.	10	—
3. Ref. 222/2K2 16-10-2003	Sh. Shyam Singh Vs. Pamwi Tissues Ltd. B/wala.	10	—
4. Ref. 62/2001 17-10-2003	Smt. Kanta Devi Vs. M/s Modulus Springs (P) Ltd. Parwanoo, Solan.	10	
5. Ref. 72/2002 7-10-2003	Smt. Satya Devi Vs. Ex. Engg. National Highway Road Mandal HPPWD, J/Nagar, Mandi.	10	—
6. Ref. 2/2002 7-10-2003	Smt. Kaushalaya Devi Vs. Ex. Eng. HPPWD Divn, No. 1 Mandi, H.P.	10	

By order,
S. K. DASH,
Secretary.

In the Court of Shri V. K. Sharma, Presiding Judge
H. P. Labour Court, Shimla

Ref. 97/98

Shri Om Prakash Vs Purewal Associates Jubber, Solan
Himachal Pradesh

Present—Petitioner with Shri J. C. Bhardwaj AR
Shri G. S. Sani AR for the respondent.

The case is fixed for today for evidence on behalf of the respondent however the parties have entered into settlement statements of the petitioner Shri Om Prakash and Shri G. S. Sani, General (P&A) on behalf of the respondent management recorded separately. The statement of the petitioner is also endorsed by his AR Shri J. C. Bhardwaj.

These statements shall form part of the present order/award.

In view of the settlement between the parties, it is ordered that the respondent management shall pay a sum of Rs. 1,00,000/- (Rupees one lac) only to the petitioner toward full and final settlement of his claim as involved in the present reference. The payment shall be made through a demand draft/accounts payee cheque within 15 days from today against receipt, failing which interest @ 12% per annum shall also be

payable and petitioner shall be entitled to get the present order/award enforced in accordance with law. Let a copy of the award be sent to appropriate Government for publication.

Announced.

Seal.

V. K. SHARMA,
Presiding Judge,
H. P. Labour, Court Shimla.

In the Court of Shri V. K. Sharma, Presiding Judge,
H. P. Labour Court, Shimla

Ref. 26/99

Smt. Lata Sharma v/s General Secretary H. P.
State Council for Child Welfare Mini Sectt. Shimla-2

24-10-2003 :

Present.—Sh. S. K. Sood, Ad. Ld Cl. for the petitioner
Ms. Sushma Sharma vice Ms. Kamo
Machan Adv. for the respondent.

In view of Office Order dated 15-3-2003 & 25-6-2003 issued by the respondent offering appointment to the petitioner as chowkidar in Sheeshugraha, U. S. Club, Shimla on fixed honorarium of Rs. 2000/- P.M., the petitioner is ready and willing to join the said appointment and is not interested in prosecuting the present reference as is apparent from the stand of her Ld. Cl. Sh. S. K. Sood, Adv. at the bar. The petitioner shall report for joining to the respondent Latest by 30-11-2003.

In view of the above, the reference shall stand answered accordingly in the above terms. Let a copy of this Order/Award be sent to the appropriate Govt. for publication in the Official Gazette. The file be consigned after due completion.

Announced.

Seal.

V. K. SHARMA,
Presiding Judge,
H. P. Labour Court, Shimla.

In the Court of Shri V. K. Sharma, Presiding Judge,
H. P. Labour Court, Shimla

Ref. No. : 222 of 2002

Instituted on : 12-8-2002

Decided on : 24-10-2003

Shayam Singh s/o Shri Mangat Ram, Village Manakpur Thakurdas, P.O. Pinjor, Tehsil Kalka, District Punchkula, Haryana

Petitioner.

Versus

M/s Pamwi Tissues Ltd., Barotiwala, District Solan, H.P.

Respondent.

Reference under section 10 of the Industrial Disputes Act, 1947.

For Petitioner : Shri Sarwan Dogra, Advocate.

For Respondent : Shri R. L. Sood, Senior Advocate
with Shri Rajeev Sirkek, Advocate.

AWARD

The present award arises out of the following reference received for adjudication from the appropriate Government :—

"Whether the services of workman Sh. Shayam Singh have been reinstated by M/s Pamwi Tissues

Ltd. [Birotiwala, District Solan, H.P. in compliance to the Order of Labour Court, dated 07-12-1996 (Copy of award enclosed) ? If not, its effects with relation to his wages and consequential service benefits and other advantageous payments from the period w.e.f. 08-12-1996 onwards to date which is to be adjudicated by the Labour Court."

2. It shall be appropriate to extract operative part of award dated 7-12-1996, which is as under:—

"The result, therefore, is that the entire enquiry proceedings held against the petitioners right from the framing of the charge-sheet Ex. PA is liable to be set aside and quashed which I accordingly order. The respondent company is commanded to reinstate the petitioners forthwith on the presentation of the copy of the order by them before it with all back wages and consequential benefits and other advantageous payments which may have accrued to them till today. The payment of the arrears of back wages and such like financial benefits shall be made to the petitioners by the respondent company within 40 days failing which it shall further be burdened with interest @ 12% per annum from today i.e. 7-12-1996 and also this order shall be put into execution in accordance with law."

3. This case has a chequered history. It arises out of a long drawn litigation between the parties. It has already undergone many rounds in the courts starting with this Court and upto the Hon'ble High Court of Himachal Pradesh and the Hon'ble Apex Court of the country.

4. It shall be in the fitness of things first to notice the admitted facts arising out of the pleadings on behalf of the parties. As per award dated 7-12-1996, Ex. P-1, the petitioner, Shayam Singh had joined the employment of the respondent as Pipe Fitter w.e.f. 1-3-1983. He alongwith two other workmen was dismissed from service on 16-12-1992 pursuant to a domestic enquiry. The dispute gave rise to Ref. No. 157 of 1993 which was decided by this Court by a common award dated 7-12-1996 in the above terms. The award was published in the H.P. Rajpatra on 5-4-1997 vide notification Ex. P-2. Being aggrieved by and dissatisfied, the respondent carried the matter to the Hon'ble H.P. High Court by way of CWP No. 52 of 1997 which was decided on 26-3-1997 vide copy of common judgement Ex. P-27 whereby award dated 7-12-1996 Ex. P-1 was upheld except regarding the direction *qua* payment of interest which was varied. Paras 7 to 10 of the judgment being relevant are reproduced here in below:—

"In such circumstances, the Labour Court was justified in setting aside the findings arrived at by the Inquiry Officer and also holding that the entire inquiry was vitiated. Consequently, the award does not suffer from any defect as contended by the learned counsel for the petitioner.

The third contention urged by the learned counsel for the petitioners is that there was no justification for the Labour Court to direct re-instatement with all back wages, consequential benefits and other advantageous payments to the workers. According to the learned counsel, the Labour Court ought to have applied its mind and considered whether the payment of back wages and other consequential benefits should be directed in the present case. There is no merit in this contention. If the Labour Court had come to the conclusion that the punishment awarded to the workers was disproportionate to the misconduct proved in the inquiry then the question of considering the award of back wages would have arisen. Once the Labour Court comes to the conclusion that the entire inquiry is vitiated and the order of dismissal is wholly un-sustainable, then the workers are entitled to back wages and other consequential benefits as well as other advantageous payments. We do not find any error in the direction given by the Labour Court in this regard.

The last contention urged by the learned counsel for the petitioners is that the direction to the petitioners to pay interest at the rate of 12% per annum from the date of award is un-sustainable. As we have pointed out already, that the award become enforceable from the date of its publication. In the circumstances we set aside that part of the award and substitute the following direction in its place. The petitioners are liable to pay interest at the rate of 12% per annum from the date of dismissal of the workers, if it fails to pay the entire amount due to the workers as per the award within thirty days from the date of its publication.

In the result, the writ petition fails and it is dismissed. CMPs. are also dismissed. Interim stay vacated."

5. After disposal of the aforesaid CWP No. 52 of 1997 vide judgment Ex. P-27 dated 26-3-1997, the respondent moved CMP No. 611 of 1997 in the said writ petition which was disposed of vide order dated 18-8-1997 Ex. P-28, which is reproduced below for ready reference:

"18-8-1997. Present :—Mr. R. L. Sood, Advocate, for the petitioners.

Mr. Inder Singh, Advocate General, for Respondents No. 1, 2 and 4.
Mr. Sharwan Dogra, Advocate, for the respondent No. 3.

In this application certain facts are set out which were available to the petitioners even before the writ petition was filed. As a matter of fact, those please were available when the matter was pending before the Labour Court but they have not taken the same before the Labour Court or before this Court in this writ petition. The correctness of the averments contained in the petition is being disputed by the respondents. In such circumstances, we are unable to entertain this application which is filed after the disposal of the writ petition for modification of our order passed in the writ petition. Hence this petition is dismissed.

Dasti copy on usual terms.

Sd/-
M. SRINIVASAN,
J. C.

Sd/-
L. S. PANTA,
Judge.

6. Then the petitioner filed a contempt petition COPC No. 35 of 1997 in the hon'ble H. P. High Court alleging non compliance of the judgment dated 26-3-1997 Ex. P-27 passed by the Hon'ble High Court in CWP No. 52 of 1997 affirming award dated 7-12-1996 Ex. P-1 of this Court subject to variation *qua* the direction regarding payment of interest. The contempt petition was dismissed by the Hon'ble High Court vide a common judgment dated 9-9-1999 Ex. P-29. Operative part whereof is as under:

"In the teeth of facts and circumstances noticed and considered herein above in these proceedings, this Court is unable to hold that the respondents have committed willful or deliberate disobedience of the order of this Court in the writ petitions. The doctrine of merger of the Labour Court award in the Judgment of this Court will not apply in the case in hand as no contempt would lie against the award of the Labour Court under the Contempt of Courts Act under the Industrial Disputes Act. Specific provisions are contained for executing the order of the Labour Court and this Court had dismissed the writ petitions of M/s Pamwi Tissues Ltd. By upholding the award of the Labour Court. However, it is made clear to the respondents that they shall honour their commitment made by them in their written

statemat filed in these proceedings that the petitioners shall be re-engaged in the same category at Chandigarh if the petitioners are willing to work at that place.

Consequently, for the above said reasons and observations, both these contempt petitions are dismissed. notices shall stand discharged. Costs on parties."

7. Being aggrieved by and dissatisfied with, the petitioner carried the matter to the Hon'ble Supreme Court by way of Special Leave to Appeal (Civil) No. 2634-2685/2000 which was dismissed *vide* order dated 28-2-2000 Ex. P-30 on the following observations :

"No question of interference with order to contempt proceedings arises as the High Court itself has stated that petitioners' remedy is to get the award enforced. Whatever observations may have been made by the High Court on merits of the controversy will obviously not come in the way of the petitioners in pursuing the remedy of enforcement of the award in accordance with law.

It will be open to the petitioners to respond to the statement given by the respondents before the High Court in the contempt proceedings, which is noted at page 27 of the paper book, that the petitioners will be welcomed to resume their duties at Chandigarh. The petitioners" if so advised, may do so without prejudice to their rights and contentions. The Special Leave Petitions are dismissed accordingly."

8. Still notsatisfied, the petitioner again approached the Hon'ble Supreme Court by filing writ petition (Civil) No. 661 of 2000 which was also dismissed *vide* order dated 4-1-2001 Ex. P-35 with the observation that "the Petitioner may take appropriate proceedings in an appropriate forum". Accordingly the petitioner moved the authorities of the Labour Department for implementation of the aforesaid award dated 7-12-1996 Ex. P-1 passed by this Court and affirmed by the Hon'ble High Court subject to variation regarding payment of interest. Consequently, a certificate in the sum of Rs. 3,05,698/- was issued in favour of the petitioner under Section 33-C(1) of the Industrial Disputes Act, 1947 (in short the 'Act') which was successfully challenged by the respondent in the Hon'ble H.P. High Court by way of CWP No. 1115 of 2001 which was decided *vide* judgment dated 20-6-2002 Ex. P-36 in the following terms :

"In view of the aforesaid discussion this writ petition is allowed. As a consequence Annexure P-14 is hereby quashed and set aside and subsequent action of respondent No.3 on its basis also does not stand. At the same time it is ordered that because reply to show cause notice is already there on the file of respondent No. 2, he shall deal with the same in accordance with law and shall thereafter proceed further in the matter by keeping in view the provisions of law after being satisfied in that behalf. Respondent No. 2 will complete this exercise on or before 31st July, 2002. In the event of his coming to the conclusion that the matter needs to be referred to the Labour Court to be adjudicated by the said Court, respondents No. 1 and 2 shall ensure that the matter is referred to by them to the Labour Court so as to reach by or before 31st August, 2003. On receipt of reference, Labour Court will hear the case on day to day basis, of course in accordance with law and then conclude the proceedings by or before 30th October, 2002."

9. Thus the matter is once against this Court.

10. Admittedly, the petitioner has received a sum of Rs. 1,45,178/- from the respondent as arrear of back wages alongwith interest upto 31-12-1997.

11. Consequent upon quashing of the aforesaid certificate in the sum of Rs. 3,05,698/- the claim of the petitioner has been split up by the Labour Commissioner

Himachal Pradesh exercising delegated powers of the appropriate Government (Government of Himachal Pradesh) into two periods, that is, prior to the aforesaid award dated 7-12-1996 Ex. P-1 and thereafter. In respect of the pre award period a certificate in the sum of Rs. 63,000/- or so is stated to have been issued in favour of the petitioner under Section 33-C(1) of the 'Act'. Admittedly it has also been challenged by the respondent by filing a writ petition in the Hon'ble H.P. High Court and the same is said to be pending. However, this court is not concerned with this aspect of the matter in the present reference which pertains to the post award period as already observed.

12. The following is the controversy between the parties.

13. There is no denying the fact that the petitioner has not been reinstated in service of the respondent pursuant to award dated 7-12-1996 Ex. P-1. On this score, the parties are having divergent stands and are blaming each other. According to the petitioner, the respondent is guilty of non implementation of the said award as confirmed by the Hon'ble High Court subject to variation on the point of payment of interest. To the contrary, the stand on behalf of the respondent is that the petitioner could not be reinstated in service in its unit at Barotiwala as the same was leased in favour of Swill Ltd., for a period of nine years *w.e.f.* 1-4-1993 to 31-3-2002 under orders of BIFR Ex. RW-2/G *vide* lease deed Ex. RW-3/A. In this regard document Ex. RW-1/A is relied upon *vide* which the said Swill Ltd., did not agree for re-instatement of the petitioner on the ground that they were already having surplus skilled and un-skilled workers in the factory. In such circumstances, the petitioner was asked to join at Chandigarh, but he did not except the offer even despite directions issued by the Hon'ble Supreme Court.

14. On the pleadings set up on behalf of the parties, the following issues were framed :—

1. Whether services of the petitioner have been reinstated by the respondent in compliance to this Court's award dated 6-12-1996? If not, its effect ?

.. O. P. Parties.

2. Relief.

15. The parties have led oral and documentary evidence. I have heard their learned counsel and gone through the record.

16. For the reasons to be recorded hereinafter, my findings on the aforesaid issues are as under:

FINDINGS :

Issue No. 1 No. Effect discussed.

Relief : Reference answered accordingly.

REASONS FOR FINDINGS

17. Issue No. The petitioner by placing reliance on communications Ex. P-3 to Ex. P-25, Ex. P-31 and Ex. P-32 has contended that initially he had been consistently requesting the respondent to accept his joining at Barotiwala alongwith the monetary benefits allowed to him under the aforesaid award dated 7-12-1996 Ex. P-1 and thereafter at Chandigarh, but the respondent was not at all interested in implementing the said award on one pretext or the other.

18. Conversely it is contended on behalf of the respondent as per appointment letter Ex. R-1 that the services of the petitioner were transferable and there was no specific direction either from this Court or from the Hon'ble High Court to re-instate the petitioner only at Barotiwala, he could have not legally insisted upon for acceptance of his joining at Barotiwala. On the strength

of communications Ex. R-2 to Ex. R-9 and Ex. RW-1/A, it is submitted on behalf of the respondent that by refusing to accept alternative employment at Chandigarh the petitioner has abandoned the job and is not entitled for any relief.

19. In so far as the contention on behalf of the respondent that it was not in a position to re-instate the petitioner in its service at Barotiwala is concerned, we shall have to fall back on the relevant Covenants of lease agreement/draft lease deed Ex. RW-3/3 dated 15-6-1993. These are Covenants 3 (d), (f) and (n) and 4 (i) of the draft lease deed which are reproduced below for ready reference:—

3. The Lessor doth HEREBY COVENANT with the Lessee as follows :

(d) To pay and discharge all statutory and other liabilities prior to the date of putting the lessee in possession of the demised premises and the said facilities and also pay and discharge dues such as provident fund, excise, income-tax, sales tax, purchase tax relating to the activity carried on by the Lessor prior to the date of the execution of these presents, even though the same may accrue or arise after putting the Lessee in possession of the demised premises along with the said facilities ;

(f) To attend to all pending cases before any Court Tribunal or Forum relating to any activity carried on by the Lessor prior to the date of the execution of these presents and ensure that no adverse orders are passed by any Court of Tribunal or Forum so as to affect the smooth working of the demised premises and the said facilities by the Lessee and the Lessor shall ensure that all pending cases are disposed of as expeditiously as possible ;

(n) To meet all contingent liabilities, not known or disclosed at the time of sanction of the scheme by BIFR out of the interest free funds to be brought in by the Lessors and/or by the Promoters.

4. PROVIDED ALWAYS AND IT IS HEREBY EXPRESSLY AGREED BY AND BETWEEN THE PARTIES HERETO AS FOLLOWS :

(i) All the employees and workmen of the Unit will continue to be the employees and workman of the Lessor and the lessee shall pay all their salaries/wages, bonus and other payments from the effective date during the continuance of this agreement and shall keep the Lessor indemnified from and against such payments and obligations. As regards payment of salaries/wages/and other payments to the Security staff and Durbans, the same will continue to be made by the Lessor and the Lessee will reimburse such payments to the Lessor. It is clearly agreed and understood that the Lessee shall in no way be responsible for payment of any terminal benefits, i.e. gratuity, retrenchment compensation or otherwise to the employees and workmen in respect of the period prior to the effective date and it shall be liable only for the salaries/wages, bouns and other payments during the period of this Agreement.

20. It is apparent from the above stipulations and particularly covenant 4 (i) that the responsibility to implement award dated 7-12-1996 Ex. P-1 affirmed by the Hon'ble High Court *vide* judgment Ex. P-27 dated 26-3-1997 subject to variation *qua* the direction regarding payment of interest was solely that of the respondent albeit the fact that the unit was leased to Swill Ltd. during the period 1-4-1993 to 31-3-2002, which is already over by now.

21. It appears that the above contention on behalf of the respondent also did not find favour that the Hon'ble High Court as is apparent from order dated 18-8-1997 passed in CMP No. 611 of 1997 which stands already *relied*.

22. The following observations were made by the Hon'ble High Court *vide* judgment dated 9-9-1999 Ex. P-29 passed in COPC No. 35 of 1997 :

"The respondents have given categorical assurance in the form of their statements in their counters filed in these proceedings that they are ready and willing to re-engage the petitioners in the factory of M/s Pamwi Tissues Ltd. at Chandigarh against the same category which they were holding before their dismissal and in the teeth of the unconditional assurance of the respondents, the petitioners cannot impress upon the respondents to re-engage them at Barotiwala in a Factory which is not under the control of M/s Pamwi Tissues Ltd. in terms of the lease deed and if M/s Swill India Ltd. has no work to be performed by the petitioners as Fitter/Welder. This Court in these proceedings cannot compel the respondent's to do impossible work which is not in the competency or power of the respondents."

"However, it is made clear to the respondents that they shall honour their commitment made by them in their written statement filed in these proceedings that the petitioners shall be re-engaged in the same category at Chandigarh if the petitioners are willing to work at that place."
(emphasis supplied).

23. As already noticed, it was ordered as under by the Hon'ble Supreme Court *vide* order dated 28-8-2000 Ex. P. 30 passed in Special Leave to Appeal.. (Civil) 2684-2685 of 2000 :

"No question of interference with order to contempt proceedings arises as the High Court itself has stated that the petitioners' remedy is to get the award enforced. Whatever observations may have been made by the High Court on merits of the controversy will obviously not come in the way of the petitioners in pursuing the remedy of enforcement of the award in accordance with law.

It will be open to the petitioners to respond to the statement given by the respondents before the High Court in the contempt proceedings, which is noted at Page 27 of the paper book, that the petitioners will be welcomed to resume their duties at Chandigarh. The petitioners, if so advised, may do so without prejudice to their rights and contentions. The Special Leave Petitions are dismissed accordingly."

24. It has also already been noticed that the following order dated 4-1-2000 Ex. P-35 was passed by the Hon'ble Supreme Court in CWP (Civil) 661 of 2000:

"The writ petition is dismissed. The petitioner may take appropriate proceedings in an appropriate forum."

25. While placing reliance on COLLECTOR OF CUSTOMS, CALCUTTA *vs.* EAST INDIA COMMERCIAL CO. LTD., CALCUTTA AND OTHERS, AIR 1963 SC 1124. A contention has been raised on behalf of the respondent that all the earlier orders, that is, award dated 7-12-1996 Ex. P-1 passed by this Court judgement dated 26-3-1997 Ex. P-27 passed by the Hon'ble High Court affirming the said award subject to variation *qua* the direction regarding payment of interest and judgment dated 9-9-1999 Ex. P-29 passed by the Hon'ble High Court in COPC No. 35 of 1997 have merged into the aforesaid orders dated 28-2-2000 Ex. P-30 and 4-1-2001 Ex. P-35 passed by the Hon'ble Supreme Court, if it is so, the following observations made by the

Hon'ble High Court *vide* judgement dated 20-6-2002 Ex. P-36 passed in CWP No. 1115 of 2001 are pertinent:

"A contention urged on behalf of the respondent No. 4 which is relevant in our opinion in the context of the present litigation also needs to be dealt with here. Mr. Sharwan Dogra submitted that please setup in this writ regarding filing of Contempt Petition by his client and its dismissal as well as order of the Supreme Court referred hereinabove do not in any manner wipe out or nullify much less negative the effect of judgement passed by this Court in CWP No. 52/97. Particularly when the said judgement has been accepted by the petitioner company and has attained finality. According to him, it is for the management of the petitioner-company to see that the writ is carried out and relief granted to the petitioner. He further submitted that leasing out of the petitioner-company to M/s. Swill Limited does not in any manner cast any cloud so far rights of the parties which were determined as well as fructified by the decision of the Labour Court and upheld in Writ No. 52/97. While controverting this plea, Mr. Sood, learned counsel for the petitioner, urged that since the unit of the petitioner at Baroti wala is leased out to M/s Swill Limited, pursuant to Annexure P-2, therefore, his client is not in a position to employ respondent No. 4 at its Factory at Baroti wala with a view to advance his this plea. Mr. Sood was also at pains to refer to the decision of this Court in COP (C) No. 35/97 dated 9-9-1999 as well as of the Supreme Court dated 28-2-2000 referred to hereinabove.

After having considered respective submissions urged in this behalf, we are of the view that so far judgement of this Court in CWP No. 52/97 is concerned, it is in no way effected by the decision of either Contempt Petition (supra) or by order of the Supreme Court. So far the decision of this Court in CWP No. 52/97 is concerned, it has to be carried out by the petitioner-company. Annexure P-2 also negates the plea of Mr. Sood that petitioner is not in a position to impelment the said decision because of the leasing out of its Unit to M/s Swill Limited.

A reference to this document shows that while sanctioning the scheme under Section 18 (4) of the Sick Industrial Companies (Special Provisions) Act, 1985, petitioner-company was leased out to M/s. Will Limited for a period of nine years. This is evident from what is contained at Page 33 of the writ petition. When the petitioner was shunted out admittedly, Unit was very much with the petitioner-company. In case any proceeding as aforesaid was pending, it was for the petitioner to have taken care of all those factors so that the order does not become either meaningless or not worthy of being implemented.

Once this conclusion is arrived at then the petitioner company cannot be permitted to feign ignorance regarding the amount payable to the petitioner as also the money value of the benefit to which respondent No. 4 is entitled on his reinstatement. There can be none else than the petitioner company itself to calculate the same. As such instead of taking shelter under technicalities of law, as a reasonable employer guided by rule of law it should have straightway come forward for the payment both on account of wages as well as calculated value of benefits, instead of entering into the present litigation. Leaving the matter here only, further contentions raised on behalf of the parties are not being gone into."

26. The above discussion brings me to hold that the services of the petitioner have not been re-instated by the respondent in compliance of this Court's award dated 6-12-1996 Ex-P-1. Consequently, he is entitled for re-instatement in service alongwith full back wages in compliance of this Court's award dated 7-12-1996

Ex. P-1 as affirmed by the Hon'ble High Court *vide* judgement dated 26-3-1997 Ex. P-27 subject to variation regarding the direction *qua* payment of interest. The issue is decided accordingly.

RELIEF

27. The natural consequent of the above findings is that the petitioner is entitled for re-instatement in service of the respondent in its unit at Baroti wala in compliance of award dated 7-12-1996 Ex. P-1 passed by this Court as affirmed by the Hon'ble High Court *vide* judgement dated 26-3-1997 Ex. P-27 subject to variation *qua* the direction regarding payment of interest alongwith continuity in service and seniority. He shall also be entitled for back wages for the post award period, that is, *w. e. f.* 8-12-1996.

28. The parties have filed their own calculations in this regard. This calculations filed by the petitioner are Mark-C. The respondent has filed calculations Ex. RW-3/B and Ex. RW-3/C. A comparative reading of the calculations filed by the parties would go to show that the only difference between them is regarding conveyance allowance, *ex-gratia*, payment in lieu of uniform, boot and sweater and leave-encashment. Whereas the petitioner has included these in his calculations, the same stand excluded from the calculations filed by the respondent. In so far as conveyance allowance is concerned, the same is a part of the wages and the petitioner is entitled for the same. He is also entitled for *ex-gratia* as has been held by the Hon'ble Bombay High Court in MAHARASHTRA STATE ROAD TRANSPORT CORPORATION, BOMBAY *VERSUS* NAMDEOT. NALVADE 2003 (5) SLR 372. However, he is entitled for any payment in lieu of uniform, boot and sweater as held in a Namdeo T. Nalvade (supra). Leave encashment is not a component of back wages and the petitioner shall not be entitled for the same.

29. In view of the above, back wages for the post award period, that is, *w. e. f.* 8-12-1996 onwards shall be payable in the above terms.

30. In the result, the reference shall stand answered accordingly. Let a copy of the award be sent to appropriate government for publication in the Official gazette.

Announced in the open Court today the 12th October, 2003.

Seal.

V. K. SHARMA,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Shri V. K. Sharma, Presiding Judge,
H. P. Labour Court, Shimla

Ref. 62 of 2001

Instituted on : 30-4-2001

Decided on : 17-10-2003

Smt. Kanta Devi w/o Shri Babu Ram, Village Chandrani, P.O. Taksal, Tehsil Kasauli, District Solan, Himachal Pradesh .. Petitioner.

Versus

The Managing Director, Modulus Springs Pvt. Ltd. Near Timber, Depot Sector-4, Kalka Road-Parwanoo, District Solan, Himachal Pradesh .. Respondent.

Reference under Section 10 of the Industrial Disputes Act, 2003

For petitioner: Shri J. C. Bhardwaj, A. R.
For respondent: Respondent *ex parte*.

AWARD

The present award arises out of the following reference received for adjudication from the appropriate Government:

1. "Whether the termination of Smt. Kanta Devi w/o Shri Babu Ram by the Managing Director, M/s Modulus Springs Pvt. Ltd., Timber Depot, Sector-4, Kasauli Road, Parwanoo, Himachal Pradesh w.e.f. 1-12-1999 without the compliance of Section 25(F) of the Industrial Disputes Act, 1947 is illegal and unjustified. If so to what relief and amount of compensation she is entitled to?"

2. "Whether Smt. Kanta Devi is herself absenting from her duty and has abandonment the employment if so its effect?"

2. The petitioner has filed statement of claim. She has averred that she was employed by the respondent in April 1997. The employment was continuous for the purpose of Section 25-B of the Industrial Disputes Act, 1947 (hereinafter referred to as the 'Act'). She complete 240 days of service in each year of employment and was thus entitled for the protection of section 25-F of the 'Act'. However, even despite that she was illegally retrenched w.e.f. 1-12-1999 without any notice and retrenchment compensation. Her service record was without any blemish. It is further averred that the respondent management is guilty of unfair labour practice. Earlier also she was illegally removed from the employment on 12-10-1999, but was later on re-instated alongwith continuity in service and consequent service benefits pursuant to conciliation proceedings before the Labour-cum-Conciliation Officer, Parwanoo under Section 12(3) of the 'Act'. She was again retrenched w.e.f. 1-12-1999 when she refused to accept and acknowledge a sum of Rs.600/- as wages against by an entry of Rs. 1600/- in the wage register. According to the petitioner she had not abandoned the job. No enquiry was held against her. Though she was retrenched, persons junior to her were retained and even fresh recruitment has been made in violation of Section 25-G and 25-H of the Act. It is stated that she is un-employed since she was retrenched. She prays for re-instatement in service w.e.f. 1-12-1999 alongwith all the consequential benefits including back wages.

3. On failure to put in appearance despite valid response, respondent was proceeded against *ex-parte* on 21-3-2003.

4. In the *ex parte* evidence, the petitioner has appeared as PW-1. She has stated on oath that she joined the respondent as Helper on 15-4-1993. She worked as such continuously upto 1-12-1999 when her services were terminated by the respondent without any notice and without any retrenchment compensation. Her service record was without any blemish. Though her services were terminated, persons junior to her were retained. According to her, she is unemployed since she was terminated. She prays for re-instatement in service alongwith continuity in service and back wages.

5. It is apparent from the above *ex-parte* evidence led on behalf of the petitioner that she was in the continuous service of the respondent within the meaning of Section 25-B of the 'Act' from 15-4-1993 to 1-12-1999 when her service were terminated by the respondent without any notice and retrenchment compensation in violation of section 25-F of the 'Act'. Thus the petitioner is entitled for relief. The abandonment does not stand established for want of any evidence.

6. The above evidence has remained absolutely un rebutted.

7. In view of the above, whereas the first part of the reference is answered in affirmative, the second part thereof shall stand answered in negative. Consequently the petitioner is held entitled for re-instatement in service

of the respondent as Helper with effect from the date of retrenchment, that is 1-12-1999 alongwith all the consequential service benefits such as continuity in service, seniority and back wages. Let a copy of the award be sent to appropriate Government for publication in the official gazette.

Announced in the open court today the 17th day of October, 2003.

Seal.

V. K. SHARMA,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour,
Court, Shimla.

In the Court of Shri V. K. Sharma, Presiding Judge,
H. P. Labour Court, Shimla

Ref. No. 72/2002

Smt. Satya Devi

V/s

Ex. Engg. National Highway Road Mandal H. P. P. W. D. J/Nagar, Mandi.

7-10-2003.

Present: Shri N. L. Kaundal, AR for petitioner.
Shri A. K. Sood, AR for respondent
(LOA filed).

Admittedly the petitioner stands re-engaged as a daily wages beldar w.e.f. 1-5-2001. In such situation the present reference has become infructious and is disposed of accordingly with liberty reserved the petitioner to seek her remedy, if any, *qua* her prayer for regularised in service w. e. f. 1-4-2002 in the appropriate forum by way of appropriate proceedings in accordance with law if so advised. Let a copy of the orders/award be sent to appropriate forum for its publication.

Announced.

Seal.

V. K. SHARMA,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

In the Court of Shri V. K. Sharma, Presiding Judge,
H. P. Labour Court, Shimla

Ref. No. 2/2002

Smt. Kaushalya Devi

V/s

Ex. Engg. H. P. P. W. D. Division-I Mandi Himachal Pradesh.

7-10-2003.

Present: None.

Case called repeatedly to the pre and post Lunch Sessions, but none has appeared on behalf of petitioner. It is already 2.45 P. M. Accordingly the reference is answered in negative for want of any material or record. Let a copy of the order/award be sent to appropriate Government. -

Announced.

Seal.

V. K. SHARMA,
Presiding Judge,
H. P. Industrial Tribunal-cum-Labour Court,
Shimla.

PLANNING DEPARTMENT

NOTIFICATIONS

Shimla-171002, the 24th November, 2003

No. PLG. FC (F)1-1/2002-03 (DPDC).—In continuation of this department notification of even number dated

8th August, 2003, the Governor, Himachal Pradesh is pleased to nominate the following person as non-official member in the District Level Planning Development and 20-Point Programme Review Committee of Kullu district:—

1. Shri Dile Ram, Chairman, Panchayat Samiti Nagar, Kullu, District Kullu, Himachal Pradesh.

Shimla-2, the 24th November, 2003

No. PLG. FC (F) 1-1/2002-03 (DPDC).—In continuation of this department notification of even number dated 8th August, 2003, the Governor, Himachal Pradesh is pleased to nominate the following person as non-official member in the District Level Planning Development and 20-Point Programme Review Committee of Kangra district:—

1. Shri Kuldeep Singh Thakur, Chairman, Rajput Welfare Trust, Himachal Pradesh, r/o Vill. Maned, P. O. Chetru, Tehsil Dharamshala, District Kangra, Himachal Pradesh.

By order,

S. S. PARMAR,
Principal Secretary (Planning).

PUBLIC WORKS DEPARTMENT

NOTIFICATION

Shimla-2, the 18th November, 2003

No. PBW-A-B(6)-12/98-V.—The Governor, Himachal Pradesh on the recommendations of the Departmental Promotion Committee is pleased to order the promotion of the following Junior Engineers (Civil)/Draughtsmen (Class-III) P.W.D. to the post of Assistant Engineers (Civil) Class-I Gazetted on regular/officiating basis in the pay scale of Rs. 7880—13500 (with initial start of Rs. 8000/- with immediate effect in public interest:—

S/Shri :

- | | |
|--------------------------------|-----------------|
| 1. B. L. Verma | (Regular Basis) |
| 2. Padam Raj Gupta | (Regular Basis) |
| 3. Jawahar Lal | (Regular Basis) |
| 4. Sita Ram | (Regular Basis) |
| 5. Ranbir Singh | (Regular Basis) |
| 6. Man Singh | (Regular Basis) |
| 7. Balam Ram Thakur | (Regular Basis) |
| 8. R. D. Aggarwal | (Regular Basis) |
| 9. Chet Ram Tanwar | (Regular Basis) |
| 10. Sukh Dev Vashist | (Regular Basis) |
| 11. Lachhman Dass | (Regular Basis) |
| 12. S. K. Sharma | (Regular Basis) |
| 13. Dharam Singh Thakur | (Regular Basis) |
| 14. Keshav Ram (S. C.), D/Man. | (Regular Basis) |
| 15. Harsh Kumar Acharaya | (Regular Basis) |
| 16. Ramesh Sharma | (Regular Basis) |
| 17. P. C. Chaudhary | (Regular Basis) |
| 18. V. D. Arya | (Regular Basis) |
| 19. Subhash Chand Kaushal | (Regular Basis) |
| 20. Sar Chand | (Regular Basis) |
| 21. Hari Singh Katoch | (Regular Basis) |
| 22. V. K. Dhiman | (Regular Basis) |
| 23. Sudhir Kumar Mahajan | (Regular Basis) |
| 24. Shamsheer Jung Mohil | (Regular Basis) |
| 25. Sant Ram Bickta | (Regular Basis) |
| 26. K. C. Tanwar | (Regular Basis) |
| 27. Budhi Singh | (Regular Basis) |
| 28. Om Parkash Sharma | (Regular Basis) |
| 29. H. R. Kapoor | (Regular Basis) |
| 30. Mohinder Chand Katoch | (Regular Basis) |
| 31. Pursham Lal Bihari | (Regular Basis) |
| 32. Yogender Singh Dhatwalia | (Regular Basis) |
| 33. Ram Rath Dogra | (Regular Basis) |

S/Shri :

- | | |
|-------------------------------|---------------------|
| 34. Hari Ram | (Regular Basis) |
| 35. A. N. Sharma | (Regular Basis) |
| 36. Prem Nath Chopra | (Regular Basis) |
| 37. Rattan Chand | (Regular Basis) |
| 38. Mangat Ram Verma (S. C.) | (Regular Basis) |
| 39. Birbal Ram (S. C.) | (Regular Basis) |
| 40. Roop Lal Bhardwaj (S. C.) | (Regular Basis) |
| 41. Pritam Ram Bhatia (S. C.) | (Regular Basis) |
| 42. Kedar Nath Sharma | (Officiating Basis) |
| 43. Surender Kumar Mehta | (Officiating Basis) |

2. All the above Assistant Engineers shall remain on probation for two years.

3. The promotion of above officers is subject to the final decision in the following O. As. pending before the Hon'ble H. P. Administrative Tribunal:—

1. 231/94—I. D. Aggarwal and others V/s State of H. P.
2. 634/92—Surjit Singh Katoch and others V/s State of H. P.
3. 992/93—Preet Mohinder Singh and others V/s State of Himachal Pradesh.
4. 1140/93—V. D. Kanwar and others V/s State of Himachal Pradesh.
5. 408/94—Bikram Singh Mehta and others V/s State of Himachal Pradesh.
6. 282 (D)/94—Sarwan Kumar and others V/s State of Himachal Pradesh.
7. 756/94—Bikram Singh Mehta V/s State of Himachal Pradesh.
8. 1028/94—Surinder Kumar Sharma V/s State of Himachal Pradesh.
9. 1415/96—Aswani Gupta V/s State of Himachal Pradesh.
10. 1475/96—Mangat Ram and others V/s State of Himachal Pradesh.
11. 1792/96—Hem Chand V/s State of Himachal Pradesh.
12. 2139/97—Bikram Singh Mehta V/s State of Himachal Pradesh.
13. 1007/99—R. K. Sood V/s State of Himachal Pradesh.

4. For Fixation of their pay against the posts of Assistant Engineer, the above Officers shall have to exercise their options under F. R. (22) (I) a (1) within a period of one month from the date of issue of this order.

5. The Governor, Himachal Pradesh is further pleased to order the transfer/posting of the following Assistant Engineers (Civil), Himachal Pradesh Public Works Department with immediate effect in the public interest:—

Sl. No.	Name of Officer	From	To
1	2	3	4

S/Shri :

- | | | | |
|----|------------------|--------------|--|
| 1. | H. K. Acharaya | On Promotion | P. W. D. Sub-Division Shour (Pangi) against vacancy. |
| 2. | Ramesh Sharma. | On Promotion | AE(Dev.), R.D.D. Panchrukhi against vacancy. |
| 3. | P. C. Chaudhary. | On Promotion | AE(Dev.), R.D.D. Jogindernagar against vacancy. |

1	2	3	4	1	2	3	4
<i>S/Shri :</i>				<i>S/Shri :</i>			
4. V. D. Arya	On Promotion	P W D Division	Sub-Shillai against vacancy.	24. Rattan Chand	On Promotion	AE (Dev), Theog	R D D against vacancy.
5. S. C. Kaushal	On Promotion	P W D Division	Sub-Kalpa against vacancy.	25. Mangat Ram Verma	On Promotion	NH, S/Div. nagar	P W D Sunder-against vacancy.
6. Sar Chand	On Promotion	AE (Dev), R D D Nurgpur	against vacancy.	26. Birbal Ram	On Promotion	AE (Dev), Chopal	R D D against vacancy.
7. Hari Singh Katoch	On Promotion	AE (Dev), R D D Bhawarna	against vacancy.	27. Roop Lal Bhardwaj	On Promotion	AE (Dev), Rohru	R D D against vacancy.
8. V. K. Dhiman	On Promotion	AE (Dev), R D D Bangana	against vacancy.	28. Pritam Ram Bhatia	On Promotion	AE (Dev), Rampur	R D D against vacancy.
9. S. K. Mahajan	On Promotion	P W D Division (Rohnat)	Sub-Meenus against vacancy.	29. Kedar Nath Sharma	On Promotion	P W D Division (Sarkaghat)	Sub-Marhi against vacancy.
10. Shamsheer Jung Mohil	On Promotion	AE (Dev), R D D Paonta	against vacancy.	30. Surender Kumar Mehta	On Promotion	AE (Dev.), Baijnath	R D D against vacancy.
11. Sant Ram Bickta	On Promotion	EO, Circle	P W D Nahar against vacancy.	31. Deepak Sharma	P W D Sub-Divn. Gohar	AE (D) Zone	Central Mandi against vacancy.
12. K. C. Tanwar	On Promotion	P W D Division	Sub-Habban against vacancy.	32. Chet Singh Verma	P W D Sub-Divn. Kaza	P W D Division vice Shri Deepak Sharma.	Sub-Gohar against vacancy.
13. Budhi Singh	On Promotion	P W D S/Divn.	NH Samirpur against vacancy.	<p>6. The posting orders of the Assistant Engineers appearing at Sl. No.1 to 14 in para-1 above who are holding the charge of the posts of Assistant Engineers will remain unchanged.</p> <p>7. The promotion given to Officers mentioned at para-1 above is conditional to their joining at their new place of posting within 7 days of the issue of this Notification. Their failure to join at new place of posting within the stipulated period shall be treated as refusal to promotion and next in the panel will be promoted. No correspondence/representation will be entertained in this behalf.</p> <p style="text-align: right;">By order, Sd/- Principal Secretary (P.W.).</p> <p style="text-align: center;">Shimla-2, the 8th December, 2003</p> <p>No. PBW(A)B(1)-7/2003.— In order to assign focused priority to National Highway works and to ensure effective financial and administrative control, the Governor, Himachal Pradesh, in supersession of all previous notifications regarding National Highways administrative structure in the State, is pleased to order re-structuring of the National Highways set up in H.P. P.W.D. as under:—</p> <ol style="list-style-type: none"> 1. All the National Highways in the State will be under the direct technical and administrative control of Chief Engineer (National Highways). 2. There will be 2 National Highway Circles i.e. NH Circle Shimla and NH Circle Shahpur. 2nd Circle Shimla is converted into NH Circle Shimla and consequently NH Circle Narkanda stands abolished. 3. There will be 5 National Highway Divisions exclusively looking after National Highway 			
14. Om Parkash Sharma	On Promotion	P W D S/Div. Tanda vice Anil Kumar Gupta					
15. Anil Kumar Gupta	P. W. D. Sub Div. Tanda.	AE (D) Circle	P W D Palampur against vacancy.				
16. H. R. Kapoor	On Promotion	P W D Sub-Division	Sub-Brow against vacancy.				
17. Mohinder Chand Katoch	On Promotion	NH, S/Div.	P W D Jhukhala against vacancy.				
18. Purshotam Lal Bihari	On Promotion	AE (Dev), Anni	R D D against vacancy.				
19. Yogender Singh Dhatwalia	On Promotion	NH, Sub-Div. mukhi	P W D Jawala-against vacancy.				
20. Ram Rath Dogra	On Promotion	P W D Division	Sub-Haripur against vacancy.				
21. Hari Ram	On Promotion	P W D S/Div.	NH Pandoh against vacancy.				
22. A. N. Sharma	On Promotion	P W D Division	Sub-Churag against vacancy.				
23. Prem Nath Chopra	On Promotion	AE (Dev), Chamba	R D D against vacancy.				

works only. In addition to existing 4 National Highway Divisions, a new National Highway Division is created with Hqrs. at Hamirpur by shifting Medical College Division Shimla, with increased staff strength.

4. (a) There will be 24 National Highway Sub Divisions as under:—

(i) N.H. Division, Jogindernagar :

Nurpur, Shahpur, Baijnath, Gumma and Drang (Mandi).

(ii) N.H. Division, Pandoh :

Bilaspur, Sundernagar, Kullu and Katrain.

(iii) N.H. Division, Hamirpur :

Amb, Jwalamukhi, Samirpur, Kotli and Jukhala.

(iv) N.H. Division, Solan :

Nalagarh, Dhaulakuan, Chambaghat, Dhalli and Darlaghat.

(v) N.H. Division, Rampur :

Matiana, Narkanda, Rampur, Jeori and Nigulsari.

(b) Investigation sub-divisions at Jukhala, Jwalamukhi, Amb and Samirpur converted as working Sub-Divisions as such. They will also continue to carry out investigation works assigned to the originally as Investigation sub-divisions.

(c) N.H. Sub-division, Dhalli Bypass, Dharampur (Solan) Drang (Kangra) and Pandoh are relocated at Darlaghat, Nalagarh, Bilaspur and Kotli respectively as such...

(d) A new Sub-division is created at Dhaulakuan with a sanctioned staff strength of Asstt. Engineer-I, Jr. Engineer-4, Sr. Assistant-I and Jr. Assistant-I by internalization from amongst the staff rendered surplus due to re-structuring.

(e) Other existing N.H. Sub-Divisions will continue as such.

5. Sanctioned strength of Jr. Engineers in the N.H. Divisions shall be as under:—

N.H. Division Solan-21, N.H. Division, Hamirpur-20, N.H. Division, Jogindernagar-17, N.H. Division, Rampur-17 and N.H. Division, Pandoh-16. This strength will be met out of the existing strength in the 4 N.H. Divisions and the Jr. Engineers being rendered surplus from Circles consequent upon restructuring. 10 posts of Jr. Engineers in the Civil Divisions, looking after predominantly N.H. roads presently with them, will be converted into N.H. Sections exclusively. These 10 Sections will be identified by the Engineer-in-Chief in consultation with Chief Engineer (National Highways) and notified accordingly.

(6) N.H. Divisions, Jogindernagar, Pandoh and Hamirpur shall be under the control of N.H. Circle, Shahpur, N.H. Divisions, Solan and Rampur will be under the control of N.H. Circle, Shimla.

(7) Revised sanctioned strength of N.H. Circle, Shahpur and Shimla and N.H. division, Hamirpur is annexed. The additional staff strength being provided to National Highway set up is being met by internalizing. The surplus staff indicated in the annexure will be re-deployed in the Arbitration Circle being revived and other

establishment of P. W. D. as far as possible for which orders will be issued separately.

(8) The Ministry of Road Transport and Highways have prescribed labour norms for maintenance, which is 0.3 person per K. M. Keeping in view the requirement of labour on higher side in the hills for maintenance, the labour norms for N.H. will be 0.5 per K. M. and accordingly the surplus labour will be transferred to Neighbouring/nearby Civil Divisions. As far as possible daily wage labourers will be retained in N.H. organization and if it falls short of the requirement as per the norms, the work-charge labour will be retained either on seniority basis or on option basis. Whenever there is emergent need of extra labour for maintenance, such extra labour will be borrowed from the nearby Civil Divisions along the National Highways payment of wages of the labour beyond the norms prescribed by the Ministry for National Highways, will be met from the State-funds.

(9) This issue with prior concurrence of Finance Department vide their U. O. No. 1251-Fin-F/2003, dated 1-12-2003 and as approved by the Council of Ministers in its meeting held on 4-12-2003.

Shimla-2, the 9th December, 2003

No. PBW (A) A (5)-1/2002.—Consequent upon restructuring of N. H. set up ordered vide Notification No. PBW (A) B (1)-7/2003, dated 8th December, 2003, the Governor, Himachal Pradesh is pleased to order creation of Arbitration Circle, transfer of Taklech Division and rationalization of surplus staff in Himachal Pradesh Public Works Department as under.

1. In supersession of Notification No. PBW (A) A (6)-1/2002, dated 26-9-2002 Arbitration Circle, Solan is ordered to be revived with the following staff strength:—

Superintending Engineer	1
Circle Head Draughtsman	1
Sr. Scale Stenographer	1
Jr. Asstt.	1
Driver	1
Peon	2
Chowkidar	1
Sweeper	1
Total..	9

These posts will be transferred and filled up from the surplus posts available after re-structuring of National Highway set up. Posts of Sr. Scale Stenographer, Driver and Sweeper will be met by internalization from the existing staff of the H. P. W. D.

2. After re-structuring of National Highway set up and after fixing the staff strength for National Highway Circles, National Highway Division, Hamirpur, National Highway Sub-division, Dhaulakuan and, Arbitration Circle, Solan, the following posts are rendered surplus:—

Asstt. Engineer	2
Superintendent Grade-II	2
Sr. Assistant	3
Jr. Assistant	2
Total..	9

The above surplus posts will be transferred as under:—

(a) One post each of Superintendent Grade-I from Hamirpur Circle and Nurpur Circle is transferred to Nahan Circle and Dalhousie

Circle keeping in view the work-load being bigger circle.

- (b) Two surplus posts of Superintendent Grade-II are transferred to Hamirpur and Nurgpur Circles in place of posts of Superintendent Grade-I in these Circles.
- (c) One post each of Sr. Assistant is created by transfer of surplus posts at Zonal Chief Engineer Offices at Shimla, Dharamshala and Mandi to be deployed with newly created posts of Asstt. District Attorney in the Zones.
- (d) Remaining 2 posts of Asstt. Engineers and 2 posts of Jr. Assistant are kept in abeyance which will be re-deployed separately.

3. The R. I. D. F. Division, Taklech is transferred to Jogindernagar as Civil Division, so that N. H. Division, Jogindernagar is assigned the N. H. works only. 2 Civil Sub-divisions presently under N. H. Division, Jogindernagar will be attached with newly created Civil Division Jogindernagar.

4. R. I. D. F. Sub-division, Bahli is transferred to Taklech as Civil Sub-Division, Taklech under the control of P. W. D. Division Rampur.

Sd/-
Pr. Secretary (PW).

Shimla-2, the 12th December, 2003

No. PBW(A)B(12)-18/2002.—The Governor, Himachal Pradesh is pleased to order that the following Chief Engineers/Supervising Engineers, H.P., Public Works Department shall retire from Government service on attaining the age of superannuation on the date shown against their names:—

Sl. No.	Name of Officer/ designation	Place of posting	Date of retirement
S/Sh.			
1.	N. K. Sharma, Chief Engineer	Chief Engineer(CZ) HPPWD, Mandi.	31-8-2004
2.	R. C. Gupta, Chief Engineer	Chief Engineer (D), HPPWD, Shimla-1.]	31-8-2004
3.	Satish Sagar Chief Engineer	Chief Engineer(NH), HP, PWD, Shimla-1.	31-8-2004
4.	G. R. Kaundal, Chief Engineer	Chief Engineer (N), HPPWD Dharamshala.	31-10-2004
5.	M. S. Chauhan, S. E.	SE(D-I), HQ, HPPWD, U. S. Club, Shimla-1.	30-6-2004
6.	S. C. Mahajan, S. E.	S.E., 9th Circle HPPWD, Nurgpur.	30-11-2004
7.	D. K. Kaushal, S. E.	S.E., 7th Circle, HPPWD, Dalhausie.	31-12-2004
8.	V. K. Bhandari, S. E.	S.E., 4th Circle, HP, PWD, Shimla.	29-2-2004
9.	V. K. Aggarwal, S. E. (Mech.)	S.E.(Mech.), HPPWD Mech. Circle Dhalli, Shimla.	31-10-2004

Shimla-2, the 15th December, 2003

No. PBW(A)B(6)14/2002.—The Governor, Himachal Pradesh, on the recommendations of the Departmental Promotion Committee is pleased to order the promotion of Sh. B. D. Joshi, Executive Engineer(C) to the post of Supervising Engineer (C) in the pay scale of

Rs. 14300-18600 on proforma basis, with immediate effect, in public interest.

2. The above officer shall remain on probation for a period of two years.

3. The proforma promotion shall be subject to the final decision of following OAs pending in the Hon'ble H.P. Administrative Tribunal/High Court:—

1. OA No. 1686/93—Raj Kumar Sharma Vs. State ;
2. OA No. (D) 890/95-Sohan Lal Gupta Vs. State ;
3. OA No. 977/98-D.D. Gautam Vs State ;
4. OA No. 543/97—B. S. Azad Vs. State ;
5. CWP No. 49/2000—State of HP Vs. Sh. B. S. Rajpal and others ; and
6. OA No. 650/2000—K. L. Mahajan Vs. State.

By order,

Sd/-
Principal Secretary (PW).

Shimla-2, the 17th December, 2003

No. PBW-A-(A)-2/2003.—The Governor, Himachal Pradesh is pleased to shift the administrative and technical control of HP PWD Division, Theog along with its Sub-Divisions from the Superintending Engineer, 2nd Circle, HP PWD, Shimla to 4th Circle, HP PWD Shimla and also to shift the administrative and technical control of HPPWD, Division Chopal along with its Sub-Divisions from 2nd Circle, Shimla to 14th Circle, Rohru with immediate effect in public interest.

The Governor, Himachal Pradesh is also pleased to attach Medical College Sub-Division, Shimla with Shimla Division No. II with immediate effect in public interest.

By order,

SUBHASH CHANDER NEGI,
Principal Secretary(PW).

REVENUE DEPARTMENT

NOTIFICATIONS

Shimla-2, the 21st November, 2003

No. Rev-D (A) 2-1/2003.—In exercise of the powers vested in him under section 3 (c) of the Land Acquisition Act, 1894 and all other powers enabling him in this behalf, the Governor, Himachal Pradesh is pleased to confer the powers of Collector upon Smt. Reema Kashyap, H. A. S. Land Acquisition Officer, H. P. S. E. B., Mandi Himachal Pradesh to be exercised by her within the appropriate territorial limits and jurisdiction of Districts Mandi, Kangra, Hamirpur, Una, Kullu, Lahaul Spiti and Chamba with immediate effect.

By order,

RAVI DHINGRA,
F. C.-cum-Secretary.

Shimla-2, the 25th November, 2003

No. Rev-A (B) 3-2/2001.—In exercise of the powers vested in him under Rule-15 of the Himachal Pradesh Tehsildari Service Rules, 1973, the Finance Commissioner-cum-Secretary (Revenue) to the Government of Himachal Pradesh is pleased to declare Shri Om Prakash Thakur, 'A' Class Tehsildar Candidate, as qualified to hold post of Tehsildar in pay scale of Rs. 7000—10980 w. e. f. 13-11-2003.

Shimla-2, the 8th December, 2003

TRANSPORT DEPARTMENT

NOTIFICATION

Shimla-2, the 29th November, 2003

No. Rev-A (B) 3-11/95.—The Governor, Himachal Pradesh is pleased to order transfer of Mr. Devinder Singh, Tehsildar Sundernagar and further to post him on secondment basis with the Forest Settlement Kullu against vacancy on administrative grounds with immediate effect.

By order,

Sd/-

F. C.-cum-Secretary (Revenue).

RURAL DEVELOPMENT DEPARTMENT

NOTIFICATION

Shimla-9, the 10th December, 2003

No. RDD-III-B (15) 2/2003.—The Governor, Himachal Pradesh is pleased to re-designate the Gram Panchayat Avam Vikas Adhikari working in the Rural Development Department as Panchayat Secretary with immediate effect.

This supersedes the notification issued vide No. PCH-HB (5) (6)/86, dated 5-11-03 by the Deputy Secretary (Panchayat to the Government of Himachal Pradesh.

By order,

Sd/-

Secretary,

(Rural Dev. & Panchayati Raj).

SOCIAL, WOMEN AND SC's WELFARE DEPARTMENT

NOTIFICATION

Shimla-2, the 21st November, 2003

No. WLF-E (2)-1/2001.—The Governor, Himachal Pradesh is pleased to constitute a State level Interactive Committee under National Plan of Action to Combat Trafficking and Commercial Sexual Exploitation of Women and Children with the following members:—

- | | |
|---|----------------------|
| 1. Director, Social, Women and SC's Welfare, Himachal Pradesh, Shimla-9. | .. Chairperson |
| 2. Representative of Director General of Police, Himachal Pradesh/ Incharge Women Cell. | .. Member |
| 3. Secretary, Himachal Pradesh State Commission for Women, Shimla. | .. Member |
| 4. Director (Prosecution) Himachal Pradesh. | .. Member |
| 5. Director (Panchayati Raj, Himachal Pradesh. | .. Member |
| 6. Director (Health Services) Himachal Pradesh. | .. Member |
| 7. Joint Director (ICDS) | .. Member |
| 8. Smt. Mala Singh, Councilor, Jakhu, Shimla. | .. Member |
| 9. Smt. Savitri Kashyap, Chairman Zila Parishad, Shimla. | .. Member |
| 10. Deputy Director (Welfare) | .. Member Secretary. |

The above Committee shall have time to time deliberations on the problems of trafficking and sexual exploitation of women and children in society and suggest remedial measures in this regard.

By order,

Sd/-

Principal Secretary (Welfare).

No. TPT-C (9) 4/2002-II.—In exercise of the powers conferred by sub section (3) of the Section-14 of the Himachal Pradesh Motor Vehicles Taxation Act, 1972, and all other powers enabling him in this behalf, the Governor of Himachal Pradesh is pleased to exempt the owners of following tractors certified to being used for agricultural purpose, from the payment of tax leviable under section 3 of the Himachal Pradesh Motor Vehicles Taxation Act, 1972, with immediate effect, subject to the condition that the tractor shall be used for the sole purpose of agriculture activity in relation to the owners own land.

2. This exemption shall deemed to be withdrawn in case the owner of the tractor is found to be using the tractor for some other commercial activity and shall be liable to pay tax from the date of grant of such exemption:

- HP-37-5488 owned by Shri. Subhakaran S/o Shri Phindu Ram, Village and P. O. Sai (Barnla) Palampur Distt. Kangra.
- HP-12-3263 owned by Shri Ramji Dass S/o Shri Chet Ram R/o Village-Kharuni P. O. Manpura, Tehsil-Nalagarh, District Solan.
- HP-12-3223 owned by Shri Ram Singh S/o Shri Jchli Ram R/o Village-Tirila, P. O.-Goela Panner, Tehsil Nalagarh, District Solan.
- HP-12-3264 owned by Shri Ram Lal S/o Shri Sunder R/o Village-Rotanwala, Tehsil-Nalagarh, District-Solan.
- HP-32-0857 owned by Shri Duni Chand S/o Shri Bhim Rath R/o Village and P. O. Balt Tehsil-Sadar Mandi, District Mandi.
- HID-2237 owned by Shri Param Dev Saini S/o Shri Madan Lal Village Sihan P. O. Gagal, Tehsil-Sadar, District Mandi.
- HID-1646 owned by Shri Girish Sharma, S/o Shri Krishan Kumar Sharma, Sheetal Niwas, Village-Tikoli, PO-Nagwai, Tehsil-and District-Mandi.
- HID-1637 owned by Shri Murari Lal S/o Shri Bhup Chand Village-Stch P. O. Rajgarh, Tehsil-Sadar, District-Mandi.

By order,

AVAY SHUKLA

Principal Secretary (Transport).

TOWN AND COUNTRY PLANNING DEPARTMENT

NOTIFICATIONS

Shimla-2, the 8th December, 2003

No. TCP-F (5)-13/2003.—In order to ensure Spatial planning, development and management of urban areas, planning areas and special area in accordance with heritage and environmental imperatives, following committee alongwith panel of Spatial Planners is notified to advise the State Government:—

- | | |
|--|-------------|
| 1. Principal Secretary (TCP) to the Government of Himachal Pradesh, Shimla-171002. | .. Chairman |
| 2. Director, Town & Country Planning Department, Himachal Pradesh, Shimla-9. | .. Member |
| 3. Prof. B. R. Batra, Head, School of Planning, G. N. D. U., Amritsar. | .. Member |
| 4. Prof. Manjeet Singh, Head, School of Planning, G. N. D. U. Amritsar. | .. Member |

5. Shri J. K. Gupta, Advisor, PUDA, Punjab. *Member*
6. Shri Surjeet Singh Kanwar, Chief Coordinator Planner, National Capital Region, Govt. of Haryana Panchkula. *Member*
7. Shri N. R. Verma, Additional Director, Housing and Urban Planning Deptt. Govt. of Uttar Pradesh, Lucknow. *Member*
8. Shri Mohinder Jot Singh Aujla, Chief Town Planner, Urban Development Department, Punjab, Chandigarh. *Member*
9. Shri A. R. Sankhyani, State Town Planner, Town & Country Planning Department, Himachal Pradesh, Shimla-9. *Member*

Dhalli, New Shimla (Kasumpti) and Totu vide notifications of even numbers dated 2-12-2003.

Now, therefore, the Governor, Himachal Pradesh is pleased to order that the Urban Development Department will hand over and transfer the funds raised by the erstwhile Nagar Panchayats Dhalli, New Shimla (Kasumpti) and Totu as development fund alongwith assets and liabilities to the newly constituted Special Area Development Authorities for the developmental activities. Further the staff of erstwhile Nagar Panchayats alongwith infrastructure such as tools and plants, office building etc. be handed over to these SADA's for the present, with immediate effect.

By order,

Sd/-

Principal Secretary (TCP).

YOUTH SERVICES AND SPORTS DEPARTMENT

NOTIFICATION

Shimla-2, the 29th November, 2003

No. YSS-A (4)-3/95-II-Loose.—In continuation to this department's notification of even number dated 9th July, 2003 the Governor, Himachal Pradesh is pleased to nominate Shri Maheshwar Chauhan, House No. 64, Type-III, Kasumpti, Shimla-171009 as Member H. P. Sports Council.

By order

Sd/-

Principal Secretary.

The above Committee shall meet at least once in six months and panel members shall be entitled for T. A. and D. A. as admissible to Senior Class-I officers of Himachal Pradesh Government.

Shimla-2, the 12th December, 2003

No. TCP-F(5)12/2003.—Consequent upon the abolition of the erstwhile Nagar Panchayats Dhalli, New Shimla and Totu vide notification No. UD-A(1)-3/2003-III, dated 24-11-2003 and further to designate the above areas as Special Areas and to constitute SADA's vide notifications of even numbers dated 29-11-2003 to be known as Special Area Development Authority

भाग-2—वैधानिक नियमों को छोड़ कर विभिन्न विभागों के अध्यक्षों और जिला मैजिस्ट्रेटों द्वारा अधिसूचनाएं इत्यादि

-शून्य-

भाग-3—अधिनियम, विधेयक और विधेयकों पर प्रवर समिति के प्रतिवेदन, वैधानिक नियम तथा हिमाचल प्रदेश के राज्यपाल हिमाचल प्रदेश हाई कोर्ट, फाईनेंशियल कमिशनर तथा कमिशनर आफ इन्कम टैक्स द्वारा अधिसूचित आदेश इत्यादि ।

-शून्य-

भाग-4—स्थानीय स्वायत्त शासन, म्युनिसिपल बोर्ड, डिस्ट्रिक्ट बोर्ड, नोटिफाईड और टाउन एरिया तथा स्वायत्त राज विभाग

-शून्य-

भाग 5—वैयक्तिक अधिसूचनाएं और विज्ञापन

ब अदालत श्री एस0 आर0 ठाकुर, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

आज दिनांक 27-11-2003 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया ।

मुकद्दमा नं० : 32/03.

मोहर ।

एस0 आर0 ठाकुर,

श्रीमती तसोमो बनाम आम जनता ।

नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, धर्मशाला, जिला कांगड़ा (हि0 प्र0) ।

विषय.—प्रार्थना पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

ब अदालत श्री एस0 आर0 ठाकुर, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

नोटिस बनाय आम जनता ।

मुकद्दमा नं० : 35/03.

श्रीमती तसोमो बनाम आम जनता ।

विषय.—प्रार्थना पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाय आम जनता ।

श्रीमती तसोमो पत्नी श्री लामा, निवासी टो0 सी0 बी0 धर्मशाला, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसके पुत्र मास्टर तेनजिन रावतन का जन्म दिनांक 7-4-1999 को हुआ है परन्तु एम0 सी0, धर्मशाला में जन्म पंजीकृत न है । अतः इसे पंजीकृत किए जाने के आदेश दिए जाएं ।

अतः इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त मास्टर तेनजिन रावतन की जन्म तिथि पंजीकरण किए जाने बारे कोई एतराज हो तो वह अपना एतराज हमारी अदालत में दिनांक 9-1-2004 को अदालतन या बनावलान हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किए जाने बारे आदेश पारित कर दिए जाएंगे ।

श्रीमती तसोमो पत्नी श्री लामा, निवासी टो0 सी0 बी0 धर्मशाला, तहसील धर्मशाला, जिला कांगड़ा, ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसके पुत्र तेनजिन नीमा का जन्म दिनांक 1-2-1998 को हुआ है परन्तु एम0 सी0, धर्मशाला में जन्म पंजीकृत न है । अतः इसे पंजीकृत किए जाने के आदेश दिए जाएं ।

इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त तेनजन नीमा का जन्म पंजीकरण किए जाने बारे कोई एतराज हो तो वह अपना एतराज दिनांक 9-1-2004 को असालतन या वकालतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किए जाने बारे आदेश पारित कर दिए जाएंगे।

आज दिनांक 27-11-2003 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। एस0 आर0 ठाकुर,
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश।

व अदालत श्री एस0 आर0 ठाकुर, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा (हि0 प्र0)

मुकद्मा नं0 37/03

श्री जितेन्द्र कुमार बनाम आम जनता।

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री जितेन्द्र कुमार पुत्र श्री सन्त राम, निवासी दाड़ी, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्मा दायर किया है कि उसकी पुत्री कुमारी दीक्षा का जन्म दिनांक 23-1-2000 को हुआ है परन्तु ग्राम पंचायत दाड़ी में जन्म तिथि पंजीकृत न है। अतः इसे पंजीकृत किये जाने बारे आदेश दिये जाएं।

इस नोटिस द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त कुमारी दीक्षा की जन्म तिथि पंजीकरण किये जाने बारे कोई एतराज हो तो वह अपना एतराज दिनांक 9-1-2004 को असालतन या वकालतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जाएंगे।

आज दिनांक 27-11-2003 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। एस0 आर0 ठाकुर,
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
तहसील धर्मशाला, जिला कांगड़ा (हि0 प्र0)।

व अदालत श्री एस0 आर0 ठाकुर, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा (हि0 प्र0)

मुकद्मा नं0 : 38/03

श्रीमती विमला देवी बनाम आम जनता।

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्रीमती विमला देवी पत्नी श्री अजयपाल, निवासी दाड़ी, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्मा दायर किया है कि उसके पुत्र शीवा कटोव का जन्म दिनांक 6-3-2000 को हुआ है परन्तु ग्राम पंचायत दाड़ी में जन्म पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिए जायें। इस नोटिस द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त शीवा कटोव के जन्म पंजीकरण किए जाने बारे कोई एतराज हो तो वह अपना एतराज दिनांक 9-1-2004 को असालतन या वकालतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जाएंगे।

आज दिनांक 27-11-2003 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। एस0 आर0 ठाकुर,
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0 प्र0)।

व अदालत श्री एस0 आर0 ठाकुर, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश

मुकद्मा नं0 30/03

श्री दुर्गा दास बनाम आम जनता।

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री दुर्गा दास पुत्र श्री गोपी राम, निवासी कन्दरेहड़ (चैतड़), तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्मा दायर किया है कि उसके पोते सुमीत कुमार का जन्म दिनांक 27-4-2001 को हुआ है परन्तु ग्राम पंचायत झुच्छी खास में जन्म पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिए जायें। इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त सुमीत कुमार की जन्म तिथि पंजीकरण किये जाने बारे कोई एतराज हो तो वह अपना एतराज दिनांक 9-1-2004 को असालतन या वकालतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किए जाने बारे आदेश पारित कर दिये जाएंगे।

आज दिनांक 27-11-2003 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। एस0 आर0 ठाकुर,
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा, हिमाचल प्रदेश।

व अदालत श्री एस0 आर0 ठाकुर, नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला, जिला कांगड़ा (हि0 प्र0)

मुकद्मा नं0 : 34/03

श्री दीना नाथ बनाम आम जनता।

विषय.—प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

श्री दीना नाथ पुत्र श्री उय चन्द, निवासी मकलोडगंज, तहसील धर्मशाला, जिला कांगड़ा ने इस अदालत में शपथ-पत्र सहित मुकद्मा दायर किया है कि उसकी माता श्रीमती रामो देवी की मृत्यु दिनांक 26-10-2001 को हुई थी परन्तु एम0 सी0, धर्मशाला में मृत्यु तिथि पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश किये जायें। इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त श्रीमती रामो देवी की मृत्यु पंजीकरण किये जाने बारे कोई एतराज हो तो वह अपना एतराज दिनांक 9-1-2004 को असालतन या वकालतन हाजिर आकर पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र मृत्यु तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जाएंगे।

आज दिनांक 27-11-2003 को हमारे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर। एस0 आर0 ठाकुर,
नायब-तहसीलदार एवं कार्यकारी दण्डाधिकारी,
धर्मशाला, जिला कांगड़ा (हि0 प्र0)।

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प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत जन्म तिथि दर्ज करने वारा ।

उपरोक्त मुकद्दमा में श्री परमा राम प्रार्थी ने दिनांक 11-11-2003 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उसके पुत्र कृष्ण कुमार का जन्म दिनांक 29-9-1997 को उसके निवास स्थान पर हुआ है, लेकिन समय पर उसकी जन्म तिथि ग्राम पंचायत ऑप्पर बेहली में दर्ज नहीं करवाई है। अब दर्ज करने के आदेश जारी किए जावें ।

अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को इस वारा कोई उजर व एतराज आदि हो तो वह पेशी दिनांक 12-1-2004 को समय 10.00 बजे सुबह या इससे पूर्व असालतन या वकालतन हाजिर अदालत होकर पेश करें अन्यथा दीगर कार्यवाही एक तरफा अमल में लाई जावेगी ।

आज दिनांक 27-11-2003 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

पंकज राय,
उप-मण्डल दण्डाधिकारी,
सुन्दरनगर, जिला मण्डी (हि0प्र0) ।

व अदालत श्री पंकज राय, स्पेशल मैरीज अधिकारी (एस0 डी0 एम0)
सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश

व मुकद्दमा :

1. श्री लाल सिंह पुत्र श्री जय सिंह, निवासी शलोग, डाकखाना कुटाहची, उप-तहसील निहरी, तहसील सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश ।
2. श्रीमती किरना पुत्री श्री पद, निवासी घणोही, डाकखाना कुटाहची, उप-तहसील निहरी, तहसील सुन्दरनगर, जिला मण्डी, हिमाच प्रदेश प्राथीगण ।

बनाम

ग्राम जनता

प्रतिवादीगण ।

प्रार्थना पत्र :- जेर धारा 15 स्पेशल मैरीज ऐक्ट, 1954 के अनुसार विवाह पंजीकरण करने वारे ।

नोटिस बनाम ग्राम जनता ।

उपरोक्त मुकद्दमा में श्री लाल सिंह व श्रीमती किरना प्राथीगण उपरोक्त ने दिनांक 25-11-2003 को इस अदालत में प्रार्थना-पत्र पेश किया है कि उन्होंने हिन्दू रीति-रिवाज के अनुसार दिनांक 20-10-2003 को अपने स्थान पर शादी कर ली है, और तब से पति-पत्नी के रूप में रहते चले आ रहे हैं । जेर धारा 15 स्पेशल मैरीज ऐक्ट, 1954 के अन्तर्गत उनका विवाह पंजीकृत किया जावे ।

अतः ग्राम जनता को इस इशतहार द्वारा सूचित किया जाता है, कि यदि किसी भी व्यक्ति को इन वारा कोई उजर/एतराज हो तो वह पेशी दिनांक 7-1-2004 को समय 10.00 बजे सुबह असालतन या वकालतन हाजिर अदालत होकर पेश करें अन्यथा दीगर कार्यवाही एक तरफा अमल में लाई जावेगी ।

आज दिनांक 27-11-2003 को हमारे हस्ताक्षर व मोहर अदालत से जारी किया गया ।

मोहर ।

पंकज राय,
स्पेशल मैरीज अधिकारी (एस0 डी0 एम0)
सुन्दरनगर, जिला मण्डी, हिमाचल प्रदेश ।

In the High Court of Himachal Pradesh at Shimla

(PROCLAMATION UNDER ORDER 5 RULE 20 OF THE CODE OF CIVIL PROCEDURE)

F. A. O. No. 558 of 2003.

1. Kamla Sharma wd/o Sh. Uttam Chaud,
2. Lalit Kumar (Minor, aged 7 years) s/o Sh. Uttam Chand, r/o Village Thali, P.O. Marothi, Tehsil Karsog, Distt. Mandi H. P. Through his next friend & Mother Smt. Kamla Sharma ..Appellants.

Versus

1. General public, 2. Kamla wd/o Sh. Uttam Chand, 3. Chetna d/o Sh. Uttam Chand, 4. Hem Chand s/o Sh. Uttam Chand, 5. Sangeeta Kumari d/o Sh. Uttam Chand, (Minors through their next friend and natural Guardian Smt. Kamla), 6. Bittu s/o Sh. Uttam Chand, 7. Jhabar Singh s/o Sh. Uttam Chand (Minor through his next friend and brother Bittu s/o Sh. Uttam Chand), All r/o Vill. Karol, Illaqua Kajor, Tehsil Karsog, Distt. Mandi, H. P. ..Respondents.

NOTICE TO :

General public

Respondent No. 1.

WHEREAS Sh. Rajesh Mandhotra, Advocate, on behalf of the appellants aforementioned, has filed an appeal under section 384 of the Indian Succession Act, 1925, against the order dated 22-9-2003 passed by the Sub-Judge Karsog, Distt. Mandi, H. P. on an application filed by Smt. Kamla Sharma and Lalit Kumar, (Appellants) in the Court of Sub Judge, Karsog, Distt. Mandi, H. P. for the grant of succession certificate under section 372 of the Indian Succession Act 1925 and as the said appeal has been fixed for hearing on 23rd day of February 2004 at 10.00 A.M. before this Court.

THEREFORE, Notice is hereby issued for the information of the General public and interested person(s) of the General public is/are summoned to appear in this Court on the said date, i.e. 23rd day of February, 2004 at 10.00 A.M. in person or through their duly instructed and authorised Advocate/Plader, who may be able to answer all material questions relating to this appeal. The interested person(s) of the General public is/are also required to produce on the said date (23-2-2004) all the documents in his/their possession or power upon which he/they may base his/their defence or claim for set of etc.

TAKE FURTHER NOTICE that in default of appearance on the said date and time, the appeal will be heard and decided in his/their absence.

Given under my hand and the seal of the Court this 20th day of December, 2003.

Seal.

K. G. SHARMA,
Deputy Registrar (Judicial),
High Court of Himachal Pradesh, Shimla.

IN THE HIGH HIGH COURT OF HIMACAAL PRADESH AT SHIMLA-171001

(PROCLAMATION UNDER ORDER 5, RULE 20, OF CODE OF CIVIL PROCEDURE)

F. A. O. No. 223 of 2003.

1. Sh. Mansa Ram, 2. Sh. Munshi Ram, 3. Sh. Nikka Ram all sons of Sh. Devi Ram, resident of Gayana, Pargana Matyanj, Teh. Arki, Distt. Solan (H. P.) ..Appellants.

Versus

1. Smt. Shankroo d/o Late Sh. Atroo, resident of Village Gayana, Pargana Matyanj, Tehsil Arki, District Solan (H. P.), 2. General public ..Respondents.

Notice to ;

General public

Respondents No. 2.

WHEREAS Sh. Romesh Verma, Advocate, on behalf of the appellants aforementioned, has filed an appeal under section 384 of the Indian Succession Act, 1925, against the order dated 26-3-2003, passed by the Additional District Judge, Solan (H. P.) on petition filed by S/Shri Mansa Ram, Munshi Ram and Nikka Ram (Appellants) in the Court of Additional District Judge, Solan, for revocation of succession certificate under section 383 of the Indian Succession Act, 1925 and as the said appeal has been fixed for hearing on 23rd day of February, 2004 at 10 A.M. before this Court.

THEREFORE, NOTICE is hereby issued for the information of the GENERAL PUBLIC and interested person(s) of the General public is/are summoned to appear in this Court on the said date, i. e. 23rd day of February, 2004 at 10 A.M. in person or through their duly instructed and authorised Advocate/Pleader, who may be able to answer all material questions relating to this appeal. The interested person(s) of the General public is/are also required to produce on the said date (23-2-2004) all the documents in his/their possession or power upon which he/they may base his/their defence or claim for set off etc.

TAKE FURTHER NOTICE that in default of appearance on the said date and time, the appeal will be heard and decided in his/their absence.

Given under my hand and the seal of the Court this 19th day of December, 2003.

Seal.

K. G. SHARMA,
Deputy Registrar (Judicial),
High Court of Himachal Pradesh,
Shimla-171 001.

In the Court of Shri P. S. Rana, District Judge, Kinnaur
Civil Division at Rampur Bushahr, District Shimla
Himachal Pradesh

In Re:—

Union Bank of India Versus Zocto
Febrication.

Civil Suit No. 4-R/1 of 2003.
Next date of hearing 14-1-2004.

Union Bank of India, Nichar Branch at Nichar,
Tehsil Nichar, District Kinnaur (H. P.) through its
Branch Manager, Shri Rakesh Kumar s/o Late Shri
Dola Ram .. Plaintiff.

Versus

1. M/s Zocto Febrication Bhawanagar, through
Prop. Shri Raj Kumar, r/o Village Bhawanagar,
Tehsil Nichar, District Kinnaur, 2. Shri Krishan Gopal
Prop. M/s Sungra Hill Resorts Bhawanagar, Tehsil
Nichar, District Kinnaur (H. P.), 3. Shri Chander
Dev s/o Shri Namgial Negi, Prop. M/s Zocto Pro-
vision Store Bhawanagar, Tehsil Nichar, District
Kinnaur (H. P.), 4. Smt. Kamla Negi d/o Shri Sharav
Giachho, r/o Village Ronvi, P. O. Sarahan, District
Shimla (H. P.). At present working as Telephone
Operator at BSNL Shimla (H. P.) .. Defendants

SUIT FOR RECOVERY OF Rs. 4,37,485/-.

Notice to:—

1. M/s Zocto Febrication Bhawanagar, through
Prop. Shri Raj Kumar, r/o Bhawanagar,
Tehsil Nichar, District Kinnaur (H. P.), 2. Shri
Krishan Gopal, Prop. M/s Sungra Hill Res-
orts Bhawanagar, Tehsil Nichar, District

Kinnaur (H. P.), 3. Shri Chander Dev s/o Shri
Namgial Negi, Prop. M/s Zocto provision
Store Bhawanagar, Tehsil Nichar, District
Kinnaur (HP).

Whereas in the above noted case, it has been
proved to the satisfaction of this Court that the
above named respondents No. 1, 2 & 3 namely Shri
Raj Kumar, Shri Krishan Gopal and Shri Chander
Dev are avoiding the service of summons and can
not be served in the ordinary way.

Hence this proclamation under order 5, Rule 20,
(I-A) of the Code of Civil Procedure is hereby issued
to them to appear in this Court on 14-1-2004, at
10 A.M. personally or through an authorised agent
or pleader to defend the case, failing which *ex-parte*
proceedings will be taken against them.

Given under my hand and seal of the Court,
today this 10th day of December, 2003.

Seal.

P. S. RANA,
District Judge,
Kinnaur, Civil Division,
Rampur Bushahr, Distt. Shimla.

In the Court of Shri P. S. Rana, District Judge, Kinnaur
Civil Division at Rampur Bushahr, District Shimla
Himachal Pradesh

In Re:—

Union Bank of India versus M/s
Zocto Provision Store Bhawanagar.

Civil Suit No. 7-R/1 of 2003.
Next date of hearing : 14-1-2004.

Union Bank of India, Nichar Branch at Nichar,
Tehsil Nichar, District Kinnaur (H. P.) through its
Branch Manager Shri Rakesh Kumar s/o Late Shri
Dola Ram .. Plaintiff,

Versus

1. M/s Zocto Provision Store Bhawanagar, through
Prop. Shri Chander Dev s/o Shri Namgial Negi, r/o
Bhawanagar, Tehsil Nichar, District Kinnaur (H. P.),
2. Shri Raj Kumar, Prop. M/s Zocto Febrication
Bhawanagar, Tehsil Nichar, District Kinnaur (H. P.),
3. Shri Krishan Gopal, Prop. M/s Sungra Hill
Resorts Bhawanagar, Tehsil Nichar, District Kinnaur
(H. P.), 4. Smt. Kamla Negi d/o Shri Sharav Giachho,
r/o Village Ronvi, P. O. Sarahan, District Shimla
(H. P.). At present working as Telephone Operator at
BSNL Shimla (H. P.).

SUIT FOR RECOVERY OF Rs. 4,18,154 -.

Notice to:

1. M/s Zocto Provision Store Bhawanagar, through
Prop. Chander Dev s/o Shri Namgial Negi, r/o
Bhawanagar, Tehsil Nichar, District Kinnaur (H. P.),
2. Shri Raj Kumar, Prop. Zocto Febrication Bhawa-
nagar, Tehsil Nichar, District Kinnaur (H. P.), 3.
Shri Krishan Gopal, Prop. M/s Sungra Hill Resorts
Bhawanagar, Tehsil Nichar, District Kinnaur (H. P.).

Whereas in the above noted case, it has been
proved to the satisfaction of this Court that the
above named respondents No. 1, 2 & 3 namely
Shri Chander Dev, Raj Kumar and Krishan Gopal
are avoiding the service of summons and can not
be served in the ordinary way.

Hence, this proclamation Under Order 5, Rule 20,
(I-A) of the Code of Civil Procedure is hereby issued
to them to appear in this Court on 14-1-2004 at
10.00 A.M. personally or through an authorised agent
or pleader to defend the case, failing which *ex-parte*
proceedings will be taken against them.

Given under my hand and seal of the Court, today this 10th day of December, 2003.

Seal

P. S. RANA,
District Judge,
Kinnaur Civil Division Rampur,
Bushahr, Distt. Shimla.

In the Court of Shri P.S. Rana, District Judge, Kinnaur,
Civil Division at Rampur Busher, District Shimla (H.P.)

Union Bank of India Versus M/s Sungra Hills
Resorts Bhawanagar.

Civil Suit No. 5-R/1 of 2003

Next date of hearing 14-1-2004

Union Bank of India, Nichar Branch at Nichar,
Teh Nichar, Distt. Kinnaur (H.P.) through its Branch
Manager Sh. Rakesh Kumar s/o Late Sh. Dola Ram
— Plaintiff.

Versus

1. M/s Sungra Hill Resorts Bhawanagar, through
its prop. Sh. Krishan Gopal, r/o Bhawanagar, Teh.
Nichar, Distt. Kinnaur (H.P.). 2. Sh. Raj Kumar
Prop. M/s Zocto Fabrication Bhawanagar, Teh. Nichar
Distt. Kinnaur (H.P.). 3. Sh. Chander Dev s/o
Sh. Namgial Negi, Prop. M/s Zocto Provision Store
Bhawanagar, Teh. Nichar, Distt. Kinnaur (H.P.).
4. Smt Kamla Negi d/o Sh. Sharv Giachho, r/o
Vill. Ranvi, P.O. Sarahan, Distt. Shimla (H.P.) At
Present working as Telephone Operator at BNSL
Shimla (H.P.)
Defendants.

SUIT FOR RECOVERY OF 3,07,323/-

Notice to :—

1. M/s Sungra Hill Resorts Bhawanagar, through
its Prop. Sh. Krishan Gopal, r/o Bhawanagar, Teh.
Nichar, Distt. Kinnaur, 2. Sh. Raj Kumar, Prop.
M/s Zocto Fabrication Bhawanagar, Teh. Nichar,
Distt. Kinnaur (H.P.), 3. Sh. Bhandar Dev s/o Sh.
Namgial Negi, Prop. M/s Zocto Provision Store
Bhawanagar, Teh. Nichar, Distt. Kinnaur (H.P.).

Whereas in the above noted case, it has been
proved to the satisfaction of this Court that the above
name respondents No. 1, 2 & 3 namely Sh. Krishan
Gopal, Raj Kumar and Chander Dev are avoiding the
service of summons and cannot be served in the
ordinary way.

Hence this proclamation Under Order 5 Rule 20,
(I-A) of the Code of Civil Procedure is hereby issued to
them to appear in this Court on 14-1-2004 at 10.00 A.M.
personally or through an authorised agent or pleader
to defend the case, failing which *ex-parte* proceedings
will be taken against them.

Given under my hand and seal of the Court, this
10th day of December, 2003.

Seal

P. S. RANA,
District Judge, Kinnaur Civil Division at,
Rampur Bushar, Distt Shimla.

व अदालत श्री श्री 0 पी 0 कान्त, उप-मण्डल दण्डाधिकारी (ग्रा 0),
शिमला, जिला शिमला, हिमाचल प्रदेश

बृज मोहन शर्मा पुत्र श्री बिशन दत्त, ग्राम हनुमान गरी टूटी
कण्डी, ग्राम पंचायत रक्षाणा, तहसील व जिला शिमला (हि 0 प्र 0) ।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969 के बाबत नाम व जन्म तिथि पंचायत अभिलेख में
दर्ज करने बारे ।

श्री बृज मोहन शर्मा पुत्र श्री बिशन दत्त, ग्राम हनुमान गरी,
ग्राम पंचायत रक्षाणा, तहसील शिमला ने इस पदालत में एक
आवेदन इस आशय के साथ गुजारा है कि उसके दादा श्री कालका
नन्द, ग्राम हनुमान गरी टूटी कण्डी, ग्राम पंचायत रक्षाणा, तहसील
व जिला शिमला का देहांत वर्ष 1982 में हुआ था परन्तु इन्द्राज
ग्राम पंचायत रक्षाणा के परिवार रजिस्टर/अभिलेख में दर्ज नहीं है ।
जोकि अब किया जावे ।

अतः इस अदालती इशतहार द्वारा सर्वसाधारण को सूचित किया
जाता है कि यदि किसी को भी उक्त आवेदक के दादा की
मृत्यु का इन्द्राज उनकी ग्राम पंचायत रक्षाणा के अभिलेख में दर्ज
करने में कोई प्राप्ति हो तो वह अपना आपत्तिनामा दिनांक
15-1-2004 तक या उससे पूर्व इस अदालत में हाजिर होकर
प्रस्तुत कर सकता है अन्यथा सचिव, ग्राम पंचायत सम्बन्धित की
नाम व मृत्यु तिथि उनकी पंचायत के अभिलेख में दर्ज करने के
आदेश पारित कर दिये जाएंगे ।

आज दिनांक 16-12-03 को मेरे हस्ताक्षर व मोहर अदालत सहित
जारी हुआ ।

मोहर ।

श्री 0 पी 0 कान्त,
उप-मण्डल दण्डाधिकारी (ग्रा 0),
शिमला, जिला शिमला (हि 0 प्र 0) ।

व अदालत श्री सी 0 पी 0 वर्मा, उप-मण्डल दण्डाधिकारी
पांवटा साहिब, जिला सिरमौर, हिमाचल प्रदेश

श्री संगत सिंह सुपुत्र श्री बलवन्त सिंह, निवासी ग्राम केदारपुर,
तहसील पांवटा साहिब, जिला सिरमौर, हिमाचल प्रदेश ।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 14-15 जन्म एवं मृत्यु पंजीकरण
अधिनियम, 1969.

श्री संगत सिंह ने इस अदालत में प्रार्थना-पत्र दिया है कि उसका
विवाह श्रीमती मीनाक्षी देवी के साथ 22-4-1995 को हुआ था
परन्तु अज्ञानतावश उनकी शादी ग्राम पंचायत अभिलेख भांटावाली
में दर्ज नहीं की गई है । जिसे प्रार्थी पंचायत में दर्ज करवाना
चाहता है ।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता
है कि यदि इस बारे किसी व्यक्ति को कोई ऐतराज हो तो वह
दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हुआ स्थित पांवटा
साहिब में अदालतन अथवा वकालतन हाजिर आकर अपनी स्थिति/
ऐतर्गज प्रस्तुत कर सकता है । निश्चित तिथि पर कोई ऐतराज
प्राप्त न होने की सूरत में प्रार्थना-पत्र श्री संगत सिंह पर नियमानुसार
कार्यवाही कर दी जाएगी ।

आज दिनांक 6-12-2003 को मेरे हस्ताक्षर व मोहर अदालत
द्वारा जारी किया गया

मोहर ।

सी 0 पी 0 वर्मा,
उप-मण्डल दण्डाधिकारी, पांवटा साहिब,
जिला सिरमौर (हि 0 प्र 0) ।

व अदालत श्री ए 0 एल 0 शर्मा, उप-मण्डलाधिकारी (ना 0) अम्ब,
जिला ऊना, हिमाचल प्रदेश

श्रीमती रेनू बाला पत्नी श्री हरीण कुमार, निवासी ठठल,
तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश ।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्रीमती रेनु बाला पत्नी श्री हरीश कुमार, निवासी ठठल ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके लड़के का नाम रोहित बाली पुत्र श्री हरीश कुमार जन्म दिनांक 11-3-2000 को हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि ग्राम पंचायत के रिकार्ड ठठल में दर्ज नहीं करा सकी है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर व एतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हुआ स्थित ग्रम्ब में असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्रीमती रेनु बाला पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

ए0 एल0 शर्मा,
उप-मण्डलाधिकारी (ना0),
ग्रम्ब, जिला ऊना (हि0 प्र0)।

व अदालत श्री ए0 एल0 शर्मा, उप-मण्डलाधिकारी (ना0) ग्रम्ब, जिला ऊना (हि0 प्र0)

श्री केवन कृष्ण पुत्र श्री धनी राम, निवासी टकारला, तहसील ग्रम्ब, जिला ऊना (हि0 प्र0)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री केवल कृष्ण पुत्र श्री धनी राम, निवासी टकारला ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके लड़के का नाम अमन भखाल पुत्र श्री केवल कृष्ण जन्म दिनांक 3-9-2001 को हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि ग्राम पंचायत टकारला के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर व एतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हुआ स्थित ग्रम्ब में असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्री केवल कृष्ण पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

ए0 एल0 शर्मा,
उप-मण्डलाधिकारी (ना0),
ग्रम्ब, जिला ऊना (हि0 प्र0)।

व अदालत श्री ए0 एल0 शर्मा, उप-मण्डलाधिकारी (ना0) ग्रम्ब, जिला ऊना, हिमाचल प्रदेश

श्री राजेश कुमार पुत्र श्री सुखदेव सिंह, निवासी रायपुर मरवाड़ी, तहसील व जिवा ऊना, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री राजेश कुमार पुत्र श्री सुखदेव सिंह, निवासी रायपुर मरवाड़ी ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसकी माता का नाम शान्ति देवी पत्नी श्री सुखदेव सिंह की मृत्यु दिनांक 8-12-1996 को हुई थी परन्तु अज्ञानतावश वह उसकी मृत्यु तिथि ग्राम पंचायत रायपुर के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे कोई उजर व एतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हुआ स्थित ग्रम्ब में असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्री राजेश कुमार पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

ए0 एल0 शर्मा,
उप-मण्डलाधिकारी (ना0),
ग्रम्ब, जिला ऊना, हिमाचल प्रदेश।

व अदालत श्री ए0 एल0 शर्मा, उप-मण्डलाधिकारी (ना0) ग्रम्ब, जिला ऊना, हिमाचल प्रदेश

श्री गुरवन्त लाल पुत्र श्री रामजी दास, निवासी गांव टकारला, तहसील ग्रम्ब, जिला ऊना (हि0 प्र0)।

बनाम

ग्राम जनता

विषय.—नाम दहस्ती बारे।

नोटिस बनाम ग्राम जनता।

श्री गुरवन्त लाल पुत्र श्री रामजी दास, निवासी गांव टकारला, तहसील ग्रम्ब, जिला ऊना, हिमाचल प्रदेश ने इस कार्यालय में एक दरखास्त गुजारी है कि उसके बेटे का नाम पंचायत रिकार्ड में युतेश कुमार दर्ज है जो कि गलत है जबकि उसके बेटे का सही नाम महेश कुमार है। अतः पंचायत रिकार्ड में उसके बेटे का नाम युतेश कुमार को बदल कर महेश कुमार दर्ज किया जावे जो सही है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को नाम दहस्ती बारे कोई एतराज हो तो वह दिनांक 10-1-2004 को असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है पेश न होने की सूरत में एक तरफा कार्यवाही अमल में लाई जाकर नाम दहस्ती बारे आदेश पंचायत को जारी कर दिये जाएंगे।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत में जारी हुआ।

मोहर।

ए0 एल0 शर्मा,
उप-मण्डलाधिकारी (ना0),
ग्रम्ब, जिला ऊना, हिमाचल प्रदेश।

व अदालत श्री ए0 एल0 शर्मा, उप-मण्डलाधिकारी (ना0), ग्रम्ब, जिला ऊना, हिमाचल प्रदेश

श्री दर्शन सिंह, पुत्र श्री भगत राम, निवासी फतेपुर, तहसील ग्रम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री दर्शन सिंह पुत्र श्री भगत राम, निवासी फतेपुर ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके लड़के दीपक गौतम पुत्र श्री दर्शन सिंह का जन्म दिनांक 12-8-1997 को हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि ग्राम पंचायत भद्रकाली के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे कोई ऐतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हजा स्थित अम्ब में असालतन या वकालतन हाजिर आकर अपना ऐतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्री दर्शन सिंह पर नियमानुसार कार्यवाही की जायेगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

ए० एल० शर्मा,
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना, हिमाचल प्रदेश।

व अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०), अम्ब,
जिला ऊना, हिमाचल प्रदेश

श्री मनोहर लाल पुत्र श्री सरवन सिंह, निवासी बड़ोह, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री मनोहर लाल पुत्र श्री सरवन सिंह, निवासी बड़ोह ने इस अदालत में एक प्रार्थना-पत्र दिया है कि उसकी पुत्र सूर्या सोडी पुत्र श्री मनोहर लाल का जन्म 25-11-2002 को हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि ग्राम पंचायत बड़ोह के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे कोई ऐतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हजा स्थित अम्ब में असालतन या वकालतन हाजिर आकर अपना ऐतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्री मनोहर लाल पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

ए० एल० शर्मा,
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना, हिमाचल प्रदेश।

व अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०) अम्ब,
जिला ऊना, हिमाचल प्रदेश

श्री धर्म पाल पुत्र श्री परमेश्वरी दास, निवासी गांव डंगोह, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

ग्राम जनता

नोटिस बनाम ग्राम जनता।

श्री धर्म पाल पुत्र श्री परमेश्वरी दास निवासी गांव डंगोह, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश ने इस कार्यालय में एक दरखास्त गुजारी है कि उसके बेटे का नाम व जन्म तिथि पंचायत के रिकार्ड में गलत दर्ज है। उसके बेटे का नाम पंचायत रिकार्ड में उपेन्द्र दर्ज है जो कि गलत है। जबकि उसका सही नाम विशाल जसवाल है और जन्म तिथि 17-6-1981 दर्ज है जो कि गलत है जबकि उसकी सही जन्म तिथि 17-5-1981 है अतः पंचायत रिकार्ड में उसके बेटे का नाम उपेन्द्र की जगह विशाल जसवाल व जन्म तिथि 17-6-1981 की जगह 17-5-1981 दर्ज की जावे जो सही है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को नाम व जन्म तिथि दुरुस्ती बारे कोई ऐतराज हो तो वह दिनांक 10-1-2004 को असालतन या वकालतन हाजिर आकर अपना ऐतराज पेश कर सकता है पेश न आने की सूरत में एक तरफा कार्यवाही अमल में लाई जाकर नाम दुरुस्ती बारे आदेश पंचायत को जारी कर दिए जाएंगे।

आज दिनांक 10-12-2003 को हमारे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

ए० एल० शर्मा,
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना, हिमाचल प्रदेश।

व अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०), अम्ब,
जिला ऊना, हिमाचल प्रदेश

श्री गुरदेव सिंह पुत्र श्री खुशी राम, निवासी मन्दवाड़ा, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री गुरदेव सिंह पुत्र श्री खुशी राम, निवासी मन्दवाड़ा ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसकी लड़की का नाम नेहा रानी पुत्री श्री गुरदेव सिंह जन्म दिनांक 1-3-1999 को हुआ था परन्तु अज्ञानतावश वह उसकी जन्म तिथि ग्राम पंचायत के रिकार्ड में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी को कोई उजर या ऐतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हजा स्थित अम्ब में असालतन या वकालतन हाजिर आकर अपना ऐतराज पेश कर सकता है। निर्धारित अवधि के पश्चात् कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्री गुरदेव सिंह पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 10-12-2003 को हमारे हस्ताक्षर तथा मोहर अदालत से जारी किया गया।

मोहर।

ए० एल० शर्मा,
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना (हि० प्र०)।

व अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०), अम्ब,
जिला ऊना, हिमाचल प्रदेश

श्री कृष्ण कुमार पुत्र श्री सतपाल रिशी, निवासी दोलतपुर चौक, तहसील अम्ब, जिला ऊना, हिमाचल प्रदेश।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री कृष्ण कुमार पुत्र श्री सतपाल रिशी, निवासी दोलतपुर चौक ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसकी लड़की का नाम काजल शर्मा पुत्री श्री कृष्ण कुमार जन्म दिनांक 3-9-1997 को हुई थी परन्तु अज्ञानतावश वह उसकी जन्म तिथि नगर पंचायत के रिकार्ड दोलतपुर चौक में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी को कोई उजर या एतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हुआ स्थित अम्ब में असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है। निर्धारित अवधि के पश्चात कोई आपत्ति प्राप्त न होने पर प्रार्थना-पत्र श्री कृष्ण कुमार पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर तथा मोहर अदालत से जारी हुआ।

मोहर। ए० एल० शर्मा,
(हि० प्र० सेवा),
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना, हिमाचल प्रदेश।

ब अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०) अम्ब,
जिला ऊना (हि० प्र०)

श्री कर्म चन्द ठाकुर पुत्र श्री ध्यान सिंह, निवासी गगरेट, तहसील अम्ब, जिला ऊना (हि० प्र०)

बनाम

ग्राम जनता

नोटिस बनाम ग्राम जनता।

श्री कर्म चन्द ठाकुर पुत्र श्री ध्यान सिंह, निवासी गगरेट ने इस कार्यालय में एक दरखास्त गुजारी है कि उसका नाम पंचायत रिकार्ड में उसका नाम कर्म सिंह दर्ज हो गया जो कि गलत है जबकि उसका सही नाम कर्म चन्द ठाकुर है। अतः पंचायत रिकार्ड में उसका नाम कर्म सिंह की जगह बदलकर कर्म चन्द ठाकुर दर्ज किया जावे जो सही है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त नाम दुरुस्ती बारे कोई एतराज हो तो वह दिनांक 10-1-2004 को असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है। पेश न आने की सूरत में एक तरफा कार्यवाही अमल में लाई जाकर नाम दुरुस्ती बारे आदेश पंचायत को जारी कर दिये जायेंगे।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। ए० एल० शर्मा,
(हि० प्र० से०),
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना (हि० प्र०)।

ब अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०) अम्ब,
जिला ऊना (हि० प्र०)

श्री केहर सिंह पुत्र श्री कलिया राम, निवासी मवां सिधिया, तहसील अम्ब, जिला ऊना (हि० प्र०)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री केहर सिंह पुत्र श्री कलिया राम, निवासी मवां सिधिया ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसके अंकन का नाम मनसा राम पुत्र स्व० श्री राम चन्द की मृत्यु दिनांक 17-3-2001 को हुई है परन्तु अज्ञानतावश वह उसकी मृत्यु तिथि ग्राम पंचायत के रिकार्ड मवां सिधिया में दर्ज नहीं करा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई एतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हुआ स्थित अम्ब में असालतन या वकालतन हाजिर आकर उजर दर्ज करा सकता है। निर्धारित अवधि के पश्चात कोई आपत्ति प्राप्त न होने की सूरत में प्रार्थना-पत्र श्री केहर सिंह पर नियमानुसार कार्यवाही की जाएगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत जारी हुआ।

मोहर। ए० एल० शर्मा,
(हि० प्र० से०),
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना, हिमाचल प्रदेश।

ब अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०) अम्ब,
जिला ऊना (हि० प्र०)

श्री अशोक कुमार पुत्र श्री नानक चन्द, निवासी लोहारली, तहसील अम्ब, जिला ऊना (हि० प्र०)।

बनाम

ग्राम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री अशोक कुमार पुत्र श्री नानक चन्द, निवासी लोहारली ने इस अदालत में एक प्रार्थना-पत्र गुजारा है कि उसकी दादी श्रीमती गरीबी देवी पत्नी श्री भगत राम की मृत्यु दिनांक 12-11-1992 को हुई थी परन्तु अज्ञानतावश वह उसकी मृत्यु तिथि ग्राम पंचायत के रिकार्ड लोहारली में दर्ज नहीं करवा सका है।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर व एतराज हो तो वह दिनांक 10-1-2004 को प्रातः 10.00 बजे अदालत हुआ स्थित अम्ब में असालतन अथवा वकालतन हाजिर आकर अपना एतराज पेश कर सकता है। निश्चित तिथि पर कोई एतराज प्राप्त न होने की सूरत में प्रार्थना-पत्र श्री अशोक कुमार पर नियमानुसार कार्यवाही कर दी जाएगी।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर। ए० एल० शर्मा,
(भा० प्र० से०),
उप-मण्डलाधिकारी (ना०),
अम्ब, जिला ऊना (हि० प्र०)।

ब अदालत श्री ए० एल० शर्मा, उप-मण्डलाधिकारी (ना०) अम्ब,
जिला ऊना (हि० प्र०)

श्रीमती सुनीता देवी पत्नी स्व० श्री प्रेम नाथ निवासी ओयल, तहसील अम्ब, जिला ऊना (हि० प्र०)।

बनाम

ग्राम जनता

नोटिस बनाम आम जनता ।

श्रीमती सुनीता देवी पत्नी स्व० श्री प्रेम नाथ निवासी ओयल तहसील अम्ब, जिला ऊना (हि० प्र०) ने इस कार्यालय में एक दरखास्त गुनारो है कि उनकी बेटी का नाम पंचायत रिकार्ड ओयल में रजनीश दर्ज है जो कि गलत है जबकि उसका सही नाम दामिनी है । अतः पंचायत रिकार्ड में उसकी बेटी का नाम रजनीश की जगह बदलकर दामिनी दर्ज किया जावे जो सही है ।

अतः सर्वसाधारण को इस इशतहार द्वारा सूचित किया जाता है कि यदि किसी भी व्यक्ति को उपरोक्त नाम दरुस्ती बारे कोई एतराज हो तो वह दिनांक 10-1-2004 को असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकते हैं पेश न आने को सूरत में एक तरफा कार्यवाही अमल में लाई जाकर नाम दरुस्ती बारे आदेश पंचायत को जारी कर दिए जाएंगे ।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

ए० एल० शर्मा,
(भा० प्र० से०),
उप-मण्डलाधिकारी (ता०),
अम्ब, जिला ऊना (हि० प्र०) ।

व अदालत कार्यकारी दण्डाधिकारी (ता०), उप-तहसील हरोली,
जिला ऊना (हि० प्र०)

श्री विजय कुमार पुत्र श्री मलकीयत चन्द वासी नंगल बट,
उप-तहसील हरोली, जिला ऊना (हि० प्र०) ।

बनाम

आम जनता

आवेदन-पत्र अधीन जेर धारा 13 (3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री विजय कुमार ने इस न्यायालय में निवेदन किया है कि उसके पुत्र दीर्घ कुमार पुत्र विजय कुमार का जन्म दिनांक 9-8-2000 को हुआ है लेकिन उसके जन्म की तिथि ग्राम पंचायत अभिलेख में दर्ज नहीं है ।

अतः सर्वसाधारण को इस इशतहार के माध्यम से सूचित किया जाता है कि यदि इस बारे किसी व्यक्ति को कोई उजर या एतराज हो तो वह दिनांक 14-1-2004 को प्रातः 10.00 बजे अधोहस्ताक्षरी के न्यायालय में उपस्थित होकर कर सकता है ।

यदि उपरोक्त वर्णित तिथि को किसी भी व्यक्ति का कोई उजर या एतराज इस न्यायालय में प्राप्त नहीं होता है, तो इस न्यायालय द्वारा जन्म तिथि दर्ज करने हेतु ग्राम पंचायत वट कला को आदेश दे दिए जाएंगे ।

आज दिनांक 16-12-2003 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

हस्ताक्षरित/-
कार्यकारी दण्डाधिकारी,
उप-तहसील हरोली, जिला ऊना ५:

व अदालत श्री एच० एस० भाटा, तहसीलदार एवं कार्यकारी दण्डाधिकारी, ऊना, जिला ऊना, हिमाचल प्रदेश

मुकुद्मा: जन्म तिथि प्रमाण-पत्र ।

मोहिन्दर सिंह बनाम आम जनता

विषय :—दरखास्त जेर धारा 13 (3) जन्म व मृत्यु पंजीकरण अधिनियम, 1969,

नोटिस बनाम आम जनता ।

श्री मोहिन्दर सिंह पुत्र श्री मुरजीत सिंह निवासी गांव मालकोवाल, तहसील गड़शंकर, जिला होशियारपुर (पंजाब) ने इस न्यायालय में दरखास्त गुजारी है कि उनके पुत्र बनजिन्दर सिंह का नाम जन्म पंचायत रजिस्टर में गलती से दर्ज न करवाया जा सका है और अब दर्ज करवाया जाए । उसके उपरोक्त पुत्र की जन्म तिथि 11-11-1992 है तथा जन्म स्थान बीनेवाल तहसील व जिला ऊना (हि० प्र०) है ।

अतः इस नोटिस के माध्यम से समस्त आम जनता तथा सम्बन्धित रिश्तेदारों को सूचित किया जाता है कि यदि किसी को उपरोक्त नाम व जन्म तिथि दर्ज होने में कोई उजर/एतराज हो तो वह इस नोटिस के प्रकाशन होने के पश्चात् एक माह के अन्दर-अन्दर असालतन या वकालतन इस अदालत में हाजिर आकर पेश कर सकता है अन्यथा एक तरफा कार्यवाही अमल में लाई जाकर वांछित प्रमाण-पत्र जारी करने के निर्देश सम्बन्धित कार्यालय को दे दिए जाएंगे ।

आज दिनांक 10-12-2003 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ ।

मोहर ।

एच० एस० भाटा,
तहसीलदार एवं कार्यकारी दण्डाधिकारी,
ऊना, जिला ऊना (हि० प्र०) ।

भाग 6—भारतीय राजपत्र इत्यादि में से पुनः प्रकाशन

-शून्य-

भाग 7—भारतीय निर्वाचन आयोग (Election Commission of India) की वैधानिक अधिसूचनाएं तथा अन्य निर्वाचन सम्बन्धी अधिसूचनाएं

-शून्य-

अनुपूरक
-शून्य-